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HISTORICAL REVIEW

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Ward

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# NEW MEXICO HISTORICAL REVIEW

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JANUARY, 1938

No. 1

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PALACE OF THE GOVERNORS

PUBLISHED QUARTERLY BY  
THE HISTORICAL SOCIETY OF NEW MEXICO  
AND  
THE UNIVERSITY OF NEW MEXICO

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E. DANA JOHNSON  
(See page 120)

# NEW MEXICO HISTORICAL REVIEW

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## MEMOIR OF A KENTUCKIAN IN NEW MEXICO 1848-1884

By J. MANUEL ESPINOSA

### I

#### INTRODUCTION

DURING the Mexican War the army of occupation brought to New Mexico the first large influx of permanent settlers from the Anglo-American West. The cutting edge of the Anglo-American frontier was sharp along the Missouri line, which for economic and geographic reasons was the base for the advance into the New Mexico area. The peopling of Missouri in frontier days was principally from the older frontier immediately behind it: namely, Kentucky and Tennessee.<sup>1</sup> And so as the frontier leaped across the plains to Santa Fé in the first half of the nineteenth century, spurred on by trade and then by the annexation of the region by the United States, it was natural to find many Kentuckians figuring in the story. Among them were James Magoffin, Francis P. Blair, David Meriwether (by adoption), Henry Connelly, Neill B. Field and a host of others. Some went to New Mexico direct, others after having spent some time in Missouri, Texas, or some other adjacent frontier area.

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1. See Hattie H. Anderson, "Missouri, 1804-1828: Peopling a Frontier State," *Missouri Historical Review*, XXXI (January, 1937), 174-180.

Samuel Ellison, the author of the memoir here published,<sup>2</sup> was among those who were attracted to New Mexico during the period of the Mexican War. As for the details of his life story they may be found in the memoir itself. Suffice is to say that Ellison arrived in Santa Fé on October 10, 1848, with the army of Colonel John M. Washington and lived in New Mexico from that day until his death on July 21, 1889. He was active and important in public life as one of the lesser lights who played their part in the development of New Mexico during the first four decades under the rule of the United States. New Mexico and the New Mexicans appealed to him, and he took for his wife a New Mexican girl, Francisca Sánchez.

Ellison's brief manuscript is important because of the interesting sidelights it brings out in connection with his journey from Kentucky to New Mexico, the story of the American occupation, New Mexico political history from 1848 to 1884, and some of the personalities involved, and the lengthy first-hand description of the Santa Fé archives and the Pile incident.

The memoir was utilized by Bancroft in his *History of Arizona and New Mexico*,<sup>3</sup> and in some places much of it was incorporated into his work. It seems that it was written at Bancroft's request during the time that the latter was gathering materials for his history. Bancroft has the following to say of Ellison and his memoir: "Samuel Ellison, territorial librarian, has given me important aid in my researches, and has been named often in this volume . . . His *History of N. Mex., MS.*, 1884, is not only a sketch of his own life, but contains his important testimony on early events and officials."<sup>4</sup>

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2. This manuscript, entitled *History of New Mexico*, Santa Fé, 1884, here published for the first time, is in the Bancroft Library, Berkeley, California.

3. Hubert Howe Bancroft, *History of Arizona and New Mexico*, San Francisco, 1887.

4. *Ibid.*, 791.



## II

HISTORY OF NEW MEXICO BY SAMUEL ELLISON  
SANTA FÉ, 1884

Judge Samuel Ellison, born in Kentucky Feb. 22, 1817, lived there until 20 years of age & then went to Cincinnati, remained there 3 mos. recruiting a company under the direction of Col. Sherman & Gen. Chambers, & with 40 men, he as lieutenant, went to Texas. Reached Houston in Sept., '37, then the seat of gov. of the repub. of Texas. (Judge Ellison is Swede on his father's side and German on his mother's).<sup>5</sup>

Gen. Sam Houston was then president and Hockley was secy. of war. The place was called Houston at that time. It was the head of navigation at the Buffalo bayou. Remained there a short time & went to San Antonio de Bexa [sic].<sup>6</sup> The war was over. His company was attached to another company at Houston, & Ellison was attached to the quartermaster dept. at San Antonio. Resided there till '42.

Gen. A. Sidney Johnston was then com. gen. of Texas having relieved Felix Houston as such.<sup>7</sup> Johnston & Houston had a duel in '37.

Ellison was an officer till '39 about which time Austin was established.<sup>8</sup> La Mar was president. Went from Austin to 3 forks of Trinity River & thence to Coffee Station on Red River, where a fort was established on the southern side of the Cross Timbers.

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5. A number of Ellisons appear in the Kentucky records for the decade of the 1790's and the early decades of the nineteenth century, but I have not been able to find any clear link between any of them and the Samuel Ellison of this memoir. It is quite probable, however, that his parents were originally from Pennsylvania, the source of origin of some of the Kentucky Ellisons, including a Samuel Ellison and his wife, Rachel, both of Philadelphia, who bought land in Bourbon County on August 22, 1794. Mrs. W. Breckenridge Ardery, *Kentucky Court and Other Records*, Lexington, 1926, 11, 118-119.

6. Béjar.

7. Johnston became commander of the army of Texas January 31, 1837. This appointment aroused the jealousy of Felix Houston, who challenged Johnston to a duel and seriously wounded him.

8. Austin was chosen as the capital of the Republic of Texas in 1839.

The fort was established in 1839 by Wm. G. Cook [sic],<sup>9</sup> and was abandoned in the spring of '40, when the command returned to Austin, and on the reduction of the army was mustered out of service, and from that time to '41 (during '40 and '41) acted as deputy sheriff at San Antonio.

During the year 1841 he was at Austin at the time Wm. G. Cook, McLeod, & Navarro left for New Mexico, & were taken prisoners near Anton Chico by General Manuel Armijo, Ellison remaining at Austin. [See Kendall's Santa Fé Expedition].<sup>10</sup>

In '42 in Dec. crossed the Rio Grande into Mexico, & took charge of a cotton farm near Monclovea in Coahuila, where he remained till the spring of '46. Then he went to Matamoras & joined Gen. Taylor's command after the fight at La Palma. Was then appointed quartermaster's agent for the army, & continued in that capacity till July '48, when he was transferred to Col. Washington's command, who came from Monterey to Santa Fé, and Ellison came with him. Washington left Monterey with his command, 500 men, on the 26th of July, 1848. Ellison left on the 24th & proceeded in advance to see that the several camps were provided with forage and wood.

Passed through Saltillo, Patos, Mapami, Chihuahua, El Paso del Norte, & the command reached Santa Fé on the 10th of Oct., 1848.

At Chihuahua Maj. Pike Graham separated from the command with 250 men & went to California.

Ellison continued here as quar. agt. till Nov. 1849 when he was employed as interpreter & secretary to Col. John Munroe, the then civil and military commandante of New Mexico. Remained such till '51, when the territorial gov. was established, and James J. [sic]<sup>11</sup> Calhoun was appointed governor. Calhoun died on his way to the

9. Cooke.

10. George W. Kendall, *Narrative of an Expedition across the Great South-western Prairies from Texas to Santa Fé*, 2 v., London, 1845.

11. James S. Calhoun, governor of New Mexico, 1851-1852.



States,<sup>12</sup> & was succeed [sic] by Wm. Carr Lane<sup>13</sup> for whom Ellison acted as secy., translator, and interpreter (not for Calhoun). After Carr Lane was Merriwether,<sup>14</sup> and Abraham Rencher<sup>15</sup> & Ellison acted in same capacity for both of these, and was in '59 was [sic] appointed clerk Sup. Ct. & of the 1st judicial dist. ct. of the ter.<sup>16</sup> In 1866 he resigned & went to farming. Was in the legislature 3 times, & was once speaker of the house.<sup>17</sup> After that translated the laws and legislative proceedings grants & proving up titles before the surveyor gen. of the ter.<sup>18</sup>

In 1881 was appointed ter. librarian, & since that time has devoted most of his time in examining the old Mexican archives found here when Gen. Kearny took possession in Aug. '46, many of which he has translated. Most of the archives are fragmentary and unsatisfactory, on close examination, for they frequently break off abruptly, in treating of the acts & doings of governors, captains-general, and the number of the Indians. In 1881 & re-appointed in 1883 librarian.<sup>19</sup> He was appointed U. S. commissioner in 1867 by Chief Justice John Slough, the first com. appointed in the ter. under what is known as the peon act. It was represented after the war, and [after] slavery had been abolished, that [many were in] the condition of peons, Mexican servants and Pueblo Indians, and Indians taken captive or purchased from wild tribes and held as slaves. This act abolished all that, imposing severe penalties, & appointed com-

12. June, 1852.

13. Governor from 1852 to 1853.

14. David Meriwether, governor 1853-1856.

15. Governor 1857-1861.

16. Ellison held this post from 1859 to 1866, and from 1868 to 1869. Bancroft, *op. cit.*, 704; W. G. Ritch, ed., *New Mexico Blue Book* (1st ed., 1882), 120.

17. Ellison served in the legislature of 1856, 1865, and 1866, and was speaker of the House as a member from Santa Fé county in the Fifteenth Assembly, 1865-1866. Bancroft, *op. cit.*, 706; Ritch, *op. cit.*, 104, 111.

18. On October 4, 1880, Ellison was commissioned a notary public for Santa Fé county. Original commission in possession of the editor. See Ritch, *op. cit.*, 69. The same authority, p. 64, gives Ellison's name in the "Official Register" for 1882 both as librarian and as "assistant secretary and translator."

19. Ellison was territorial librarian until 1889. *New Mexico Historical Review*, X (April, 1935), 172, note 2.

missioners to investigate matters & liberate the peons. They were then as much an article of trade as a horse or a sheep.

On his arrival at Santa Fé the 10th of Oct. 1848 all was under military rule. Washington's men and army followers numbered about 500—that is, what Washington brought and Maj. Ben Bell had, & teamsters &c, amounted to 500. Bell was capt. of Cavalry (brevet Maj.) Washington relieved Bell who was afterward stationed at Taos and was transferred in '50 to Ft. Leavenworth.

Washington acted as civil and military gov. up to the organization of the ter. when he was relieved shortly after by John Munroe who was relieved as civil gov. by James J. [sic] Calhoun, Munroe still remaining at the head of military affairs.

There was a remarkable good police here under Bell's adm. & good order kept, and this continued under Munroe & the rest.

The leading men of the territory in 1848 were—at Santa Fé Donacino [sic]<sup>20</sup> Vigil, who was appointed Sec'y ter. by Gen. Kearny, & afterward, on the assassination of Gov. Chas. Bent was appointed Gov. by Gen. Price. Miguel E. Pino was connected under the Mex. gov. with the Custom House dept., and so was Tomás Ortiz. Augustin [sic]<sup>21</sup> Duran was chief of same dept. The vicar Felipe Ortiz was considered the leading man in the political and civil departments of the city and county of Santa Fé.

In San Miguel County Santiago Ulivarri, Padre Leiva, and Herman Von Grolman prefect of said county were the men who controlled political affairs in that county.

In Mora. Co. José María Valdez, and ——— Vigil.

In Taos Padre Martínez, Pascual Martínez, & Pedro Valdez.

In Rio Arriba Co. Antonio Roibal, Antonio Manzanares, and Diego Archuleta.

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20. Donaciano.

21. Agustín.

In Santa Anna Co. Tomas C. de Baca, and Francisco Sandoval.

In Bernalillo Co. Juan Cristobal Armijo, Pedro Perea, Ambrosio Armijo, & Rafael & Manuel Armijo.

In Valencia Co. Antonio José Otero appointed judge of the 3d judicial district by Gen. Kearny.

In Taos Charles Beaubien was appointed judge of the 2d judicial dist. 23 Sept. 1848. Another leading man in Valencia Co. Antonio Luna; and Socoro [sic]<sup>22</sup> Co. José Antonio Baca y Pino; Pedro Baca, and Vicente Pino.

In Don [sic]<sup>23</sup> Ana Co. was Guadalupe Miranda, former of [sic] secy. of the territory, and Pablo Melendrez.

These were the political force of the country at that time, and down to 1854-5—some of them later. Whatever they said must be was—& some of them down to 1859, after which date other influences came in, wielded a very great influence in politics. Then continued till '79, when a new element came & took a decided independent stand; that is, people coming in weakened the power of the former politicians.

Col. Washington went east, & embarked at New York for Cal. & was wrecked on the Str. *San Francisco*. He was a very positive, brave, & efficient officer.

Munroe was an artillery officer, a Scotchman, & stood very high. Was the best mathematician in the army, as well as the ugliest looking man. A whig in politics. A very determined man in all his acts and doings. He would brew his pitcher of toddy at night, & take the first drink of it at noon next day, after which hour he would not attend to any official business. He said he wouldn't live in a country [where is snowed] in Nov. & May. (He arrived in Nov. when it snowed, & also the next May) & so he got himself transferred. He was relieved by Col. Fauntleroy.

Calhoun had been consul to Habana for many years, was sent out here as Indian agt. & was appointed first gov.

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22. Socorro.

23. Doña.



and ex-officio supt. Ind. affairs, under organization. Had ability, was a politician by profession, was very popular and very intemperate. Nothing particular during his adm. no Indian troubles.

Wm. Carr Lane was a man of superior intellect, & was highly esteemed by the people of the territory, both natives & Americans. He ran for delegate of the territory against Padre José Manuel Gallegos who, that is the latter, on a contest for the seat was declared to be elected, on the ground that the Pueblo Indians had no right to vote. Including the vote of the Pueblo Inds. Wm. Carr Lane would have been elected, but without that vote Gallegos was declared elected by 500 votes.

Gallegos was a man of ability, suspended by Archbishop Lamy for concubinage. He procured the first appropriation of \$20,000 & \$50,000 for a capital & penitentiary.

During the adm. of Wm. Carr Lane, supt. of Ind. Affairs as well as gov., Ind. war came on, & he requested Col. Sumner (known in the army as bull-head Sumner; he was shot in the head, & the ball glanced & he recovered) to allow him to furnish 500 volunteers to aid in the suppression of the Navajos. Sumner declined, and Lane became very much excited & challenged the Col. to fight him. Sumner decline; he then made an expedition against the Navajos & compelled them to retire from their country.

Merriwether gov. & sup. Ind aff. & general superintendent of the construction of the skeleton as it now [1884] stands of the capital & penitentiary. \$20,000 more were appropriated, and there is nothing now to show for it but some stone walls & unfinished partitions, good for nothing but for the stone. During Merriwether's adm. the offices of gov. & supt. Ind. affairs were separated, Merriwether continuing as gov. & James L. Collins assumed the office of Supt. Ind. Aff. Miguel A. Otero got a further appropriation of \$60,000 to complete the buildings.

When John S. Watts was delegate in Cong.<sup>24</sup> he compromised matters, giving up this last appropriation of

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24. 1861.



SAMUEL ELLISON





\$60,000 together with all the territory lying between Cornejos [sic]<sup>25</sup> and the Sangre de Cristo mountains to Colorado, provided the people of New Mexico should be relieved of the then war for the Union tax. If that had not have been done the territory would not have been obliged to pay the \$325,000 voted by its last legislature for these buildings, \$125,000 for penitentiary & \$200,000 for a capital. Watts was an honest & conscientious man.

The first legislature was the best the territory has ever had, the best material of Mexicans and the best Americans the territory could produce, and that you can see from the laws of 1852. The second legislature was fair, but they have been gradually going down in quality. Up to 1864 they were considered to be very fair men. Before that time bribery, since then so common, was unheard of. Bribery was first resorted to support the act of Gen. Carleton bringing down a large portion of the Navajos to the Bosque Redondo on the Pecos River. A memorial was got up centurrying [sic] the act, to defeat which money was used.

Abraham Rencher was a lawyer, had [been] minister to Portugal, member of Congress from North Carolina, conservative, honest & intellectual. Was highly esteemed by the people of the territory.

Henry Connelly was of a visionary, romantic, poetic turn, could quote John Gilpin in one breath. He was tolerated because he was appointed from the territory. Still he was a good man. He was from Kentucky. He went to Valverde, witnessed the fight between Canby and the Texans; after Canby was whipped he, the gov. returned to Fort Union, hastily. When he went to Valverde he left Ellison in charge of the territory. There was no secretary here at that time. After the Texans had been whipped out he [Connelly] returned and took charge of his offices.

After the fight at Valverde Sibley & Slough met at Glorreto [sic]<sup>26</sup> &c. Sibley drove Slough back about two

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25. Conejos, Colorado.

26. Glorieta.

miles, but as Slough had sent a force around to the rear of Sibley & burned his train Sibley was compelled to retreat, & returned to Texas. The smoke of the fire burning the horses & the train could be seen 25 miles.

The territorial library was established in 1852 with an appropriation made by Congress of \$5,000 made in 1851. Congress afterward appropriated \$500 to pay freight on books. It has since been kept up by exchanges. There is no appropriation by the legislative assembly for the purchase of books, or even for freight on them, & never has been. They made an appropriation of \$50 per annum for fuel & stationery for librarian, and \$600 per annum for his salary.

In 1848 the Mexican archives consisted of the acts and doings of the governors and captain-generals under the Spanish government as far back as 1681, the retaking of Santa Fé by Vargas in 1692, his several fights with the Pueblo Indians, the captives taken by him & placed in slavery up to 1697. On the 19th day of August 1680 after a nine days siege the Spaniards cut their way out and left the country, when the Indians destroyed everything Mexican. Up to 1803 fragmentary statements in regard to the establishment of priests in the missions are among the archives.

Under the adm. of Wm. A. Pile<sup>27</sup> many of the archives were sold to merchants and grocers for wrapping paper, and only about one-fourth recovered. There was an organized search made for them by the citizens, who waited on the gov. to have it done. Pile graduated as a Methodist preacher, went into the army, commanded a regiment, and was sent out here as governor to complete his education. He was a very weak man intellectually and every other way. If he had any intellect at all it did not run in the right groove. He was up to all sorts of chicanery, was not honest, and if it had been any other country he would have been driven out of the country. The deed of vandalism was found out the day after it was done, when some of the citizens met and

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27. Governor from 1869 to 1871.

appointed a committee who waited on the gov. and requested him to have the papers returned. Then he sent out the librarian Bond<sup>28</sup> and had them brought back, a cartload of them, and dumped into the back room. Wendell Debus kept ordinary goods, Indian antiquities & pottery. He bought one lot for about \$30, & had the money refunded to him, when he returned most of them, but not all. Others bought smaller portions. The gov. was partly fool and partly knave.<sup>29</sup>

They were placed in a room loosely and remained there with the chickens roosting on them & the drippings from the house falling on them till Gov. Wallace employed Ellison to gather them up and place them in a room adjoining his parlor. After that they were placed in the charge of Ellison as librarian.

Wallace was an excellent governor, a man of intellect, positive, and popular.

The legislative journals & session laws have always been printed in Spanish & English. It is not the law but the custom. There is a territorial law requiring all proceedings of all courts to be kept in Eng. & Sp. but no attention is paid to it. In Justices courts, if the justice is Mexican he keeps dockets in Spanish; if American in Eng.

There is a very large collection of archives in the Indian Pueblo of Santa Clara, in the hands of the Indians, boxed up. They say they have had them from time immemorial. They consist of certificates of baptism, marriages, funerals, no court or war proceedings. There is some correspondence among [sic] Spanish officers, orders, & edicts as to the treatment of the Indians.

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28. Ira M. Bond was territorial librarian for the same period during which Pile was governor. Later, he was editor of the *News*, a small English and Spanish weekly which was published at Mesilla, Doña Ana county, from 1873 to 1884.

29. For further accounts of the destruction of the archives see Bancroft, *op. cit.*, 19, and references there cited, and the *Santa Fe New Mexican*, March 4, 1886, quoted in *New Mexico Historical Review*, X (April, 1935), 171-172. Ellison's statement here clearly demolishes Twitchell's weak defense of Pile. Ralph Emerson Twitchell, *The Leading Facts of New Mexican History*, 2 v., Cedar Rapids, 1912, II, 413-414.



There are others in the Indian Pueblos of Narambe [sic],<sup>30</sup> San Juan, Taos, and the Picurries. Somebody says there are some at Socorro, and elsewhere. In fact, probably every Pueblo has some. Some of these papers refer in an indefinite manner in regard to lands, their titles & boundaries, but nothing definite.<sup>31</sup>

The archives in the library are now arranged in 135 pasteboard boxes about 10 by 15 inches & 2 inches thick according to subjects. These are diaries of different governors and captain generals in relation to their operations against the Pueblo Indians and wild tribes of the "provinces and kingdom of New Mexico."

Most of what we would require would be about the different campaigns extending from the Arkansas River to the Moqui Villages, the general insurrection of the Indians on the 4th of June 1696. It is reported that about 200 of the Christianized Pueblo Indians joined the tribe of Navajo-Apache Indians. These are contained in five of the boxes, well arranged in these 5 boxes chronologically. In these boxes are Indian wars and campaigns.

Other boxes contain matters regarding Church and clergy, the location of mission & convents in the different pueblos, names of the padres and Christian teachers and lay brothers.

Then there are charges against the different governors one against another, for peculation. Also a few documents relative to the assassination of Gov. Pérez in 1837, Armijo assuming the reins of gov. at that time, and ordering shot the pretended Governor as he terms it, Gonzalez, and four other insurgents. Also the erection of the fort in 1791 where the present Fort Marcy now stands. Many documents relative to the duties of Custom House officers, and the duties of the territory in 1803, and the number of Spaniards & Pueblo Indians the country then contained. (He states 37,000 1/3 of them Pueblo Indians.)

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30. Nambé.

31. Most of the Indian mission records, including those of the Santa Cruz Valley pueblos and Taos, are now in the newly constructed Cathedral Chancery Archives in Santa Fé.



There is an incomplete journal of Diego de Vargas, gov. & capt. gen. from 1692 to 1697. (He was superceded by Rodriguez & returned to Santa Fé in 1703 as Marques de la Nava de Brasinás.) There is also a pay roll dated May 1 1697 giving what purports to be a complete census of the province at that time. He gives the name of every man, woman & child.

The journal of Vargas appears to have been in one vol. stitched or bound, but now torn apart & is in sections. It begins about p. 57 & terminates at about 250. He would make a campaign report in full of what he had done, retaining the original & forwarding copies to the viceroy. This he did to avoid risk of losing the original on the road. He assigns that as a reason.

This journal referring to times previous &c contains much about the insurrection, & the history of the country from 1692 to 1704.

He also speaks of the location of silver and gold mines, of his then working three silver mines. He had the ore of one assayed which showed about \$80 to the ton containing flux to reduce the ore. Also the location of a quicksilver mine, situated on the west bank of the Colorado of the West.

THE FEDERAL INDIAN POLICY IN NEW MEXICO,  
1858-1880, II

By FRANK D. REEVE

CHAPTER III

THE BOSQUE REDONDO

THE CHANGE in superintendents temporarily removed the troublesome opposition in the Indian service in New Mexico toward the Bosque Redondo experiment, for the new incumbent favored the project. The harmony of views between the military and Indian officials was further strengthened by a clearer definition of their respective jurisdictions, a troublesome question that had persistently raised its head from the outbreak of the Navaho war in 1858. The superintendent and agents were advised

that where Indians are hostile, the civil authority is to be held in abeyance until the measures taken by the military authorities for quelling the outbreak have been concluded; that where the Indians are generally quiet and peaceable, but require prompt action to quell disorders among themselves, or to prevent unlawful interference of white persons with them, the military are to render assistance when appealed to by the agents; and at all other times the military are not to interfere with the civil control of the Indians.<sup>1</sup>

The Navaho, of course, did not fit readily into this arrangement because Superintendent Steck had refused to accept formal responsibility for them. The current arrangement, therefore, was continued for the time being: for dispensing funds for clothing, implements, and the purchase of sheep they were under the control of the agent; for subsistence and general control they continued as prisoners of war under the military.

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1. C. I. A., *Annual Report*, 1865, p. 5.

But the harmony between the Indian service and the military solved no fundamental problem. The future of the Navaho loomed as a great question mark to those in positions of responsibility, and the seed of discord planted through Steck bore abundant fruit in the next three years. In the fall of 1865 the commissioner of Indian affairs wrote that

In regard to the Navajoes . . . the accumulated testimony is so conflicting, derived from sources equally entitled to credit, and from persons who should have, and, so far as appears, have had but one object in view—the best interests of the government and of the Indians, that I am reluctant at present to express a decided opinion in regard to the permanent policy to be adopted.<sup>2</sup>

For the time being, he recommended that the Indians be left at the Bosque Redondo because they were there and were at peace. This acceptance of the *status quo* illustrated the difficulty of the problem; however, it was only a temporary acceptance, since measures had already been taken along two lines to solve it: a congressional investigation had been instituted in the spring and a special investigator for the Indian bureau had been appointed in the summer.

Under a joint resolution of March 3, 1865, a committee of seven was appointed to inquire into the condition of the Indian tribes west of the Mississippi. Messrs. Doolittle, Foster, and Ross were assigned to work in Kansas, Colorado, Utah, New Mexico, and the Indian Territory. They collected their New Mexico data during the summer, and it was far from being clear and conclusive. Those who testified at the hearing agreed that a reservation removed from the settlements and protected by a military force was the *sine qua non*. In the second place, the Navaho should be made self-supporting by being induced to cultivate the soil after the example of the Pueblo Indians. This idea was strengthened by the fact that they had raised some crops before their removal to the Bosque Redondo. But where the reservation should be located was the moot point.

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2. *Ibid.*, p. 21-22.



The proponents of the Bosque Redondo contended that there was no area sufficiently large in the Navaho country upon which the tribe could be located and made self-sustaining. Furthermore, the troops could not keep them on the reservation, and if they were allowed to scatter, trouble would develop with the New Mexicans as formerly. This argument was countered by the proposal that the Navaho should be located in several groups or pueblos in various parts of their old country which would make it possible for a few troops to keep them on their reservations. Additional arguments for the Bosque Redondo were that it contained good farm land and that the presence of the Navaho there was a *fait accompli* and should be continued. Various other points were advanced pro and con: it was cheaper to feed them at the Bosque Redondo than to fight them in their own country; fewer troops were required to control them; a grazing country in northwestern New Mexico had been opened to the white man; and the route to Arizona was safe; on the contrary there was a scarcity of wood around Fort Sumner, the country belonged to the Comanche, the area of farm land was insufficient, the Navaho were self-supporting in their own country, there were no mines to attract the whites into the northwest, the Navaho and Apache could not live together, and the Bosque Redondo entailed immense cost to the government.<sup>3</sup>

Among those consulted by the committee, Carleton was perhaps in the most certain frame of mind about the matter. He had formed his opinion about placing Indians on reservations which

will be Islands: and as time elapses and the race dies out, these Islands may become less and less, until finally, the great sea [of white men] will engulf them one after another until they become known only in history, and at length are blotted out, of even that, forever.<sup>4</sup>

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3. S. J. C., 1867, p. 323-350.

4. Carleton to Doolittle, 7/25/65, A. G. O., LS 43, p. 81.

Since the Bosque Redondo would serve the purpose of an "island" very well, there was no need to seek further for a location. The committee, however, did not decide the issue.

The second line of inquiry into the situation in New Mexico was due to the unsatisfactory condition in the Indian service. The appointment of Delgado as superintendent had been looked upon with misgivings by some of the citizens in the Territory. Neither he nor three of the new agents could keep their accounts or report to their superiors in the English language. This handicap made necessary the employment of assistants, sometimes in relation to business of a confidential nature. The importance of party politics could hardly permit such weak points on the battle front. As the chief justice of the Territory pointed out, "Much, therefore will rest upon the *integrity* and *good faith* of the *clerks* or *friends* who may be trusted in a *confidential relation* with the officers in this portion of the Indian affairs."<sup>5</sup> Furthermore, Delgado did not furnish satisfactory reports about conditions in New Mexico and the Washington office felt at a distinct disadvantage in discharging properly its responsibility in the Territory.<sup>6</sup>

Before taking any action the commissioner of Indian affairs appointed Julius K. Graves in August, 1865, as commissioner and special agent to investigate the general situation in the superintendency. He was instructed to report on the sufficiency of the Bosque Redondo as a reservation for both the Navaho and Apache, the cost of surveying the reservation for the purpose of allotting the land in severalty, the character of the personnel in the Indian service, and the practice of slavery. The expenditure of the congressional appropriation of March, 1865, was placed in his hands.<sup>7</sup>

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5. Kirby Benedict to Dole, 6/12/65, B1158/65.

6. C. I. A, *Annual Report*, 1865, p. 22.

The commissions for the new agents appointed under Delgado were issued through the chief justice of the Territory because the Washington office lacked definite information as to whether the new superintendent had taken office. LB 77, p. 87.

7. Cooley to Dodd, 8/5/65, Cooley to Graves, 8/8/65. Valkenburgh to Graves, 9/12/65, LB 78, p. 6, 20, 179.



Graves made a thorough and detailed series of reports in the spring of 1866. He philosophised about the status of the Indians, condemned the practice of slavery or peonage, recommended a shakeup in the service, and favored the Carleton policy of keeping the Navaho at the Bosque Redondo. His sympathies were distinctly with the Indians, but he did not accord them a particularly favorable place in the affairs of this world. He thought the star of the red man was setting while that of the white man was rising. God had so willed, and history could prove,

That the Indian under an all wise dispensation  
of Providence was created for a specific purpose,  
should mark his gradual decline seems evident  
from their past history.

“They are fading—they are fading  
In solemn gloom away  
Like mists upon the mountain  
At dawning of the day.”<sup>8</sup>

He echoed a rather common charge that most Indian troubles were precipitated by actions of the white man, and stated that the reservation plan by separating the two groups was the proper solution to that problem.

The practice of enslaving Indian captives in New Mexico was almost as old as the length of the white man's occupation. There were about 2,000 of them worth from \$75 to \$400 each. Their treatment varied with the owners; some were occasionally abused, others were adopted and treated as members of the family. The custom had long been recognized as one of the chief causes of the chronic warfare with the Navaho.<sup>9</sup> The Indian bureau had made no effort to end the evil on the ground that it lacked jurisdiction.<sup>10</sup> Since the leading office-holders in the Territory held such slaves, they naturally were not interested in operating the machinery of local government to their own loss. But the situation was

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8. Graves, *Report*, No. 3, Office of Indian Affairs.

9. Steck to Dole, 1/13/64, S234/64, and Delgado to Dole, 7/16/65, D762/65. Graves, *Report*, No. 3, 4, 10.

10. Dole to Army, 6/26/63, LB 71, p. 81.

incompatible with the results of the Civil War, and some steps had been taken to remedy it. President Johnson issued an order on June 9, 1865, for the suppression of the practice, and the Freedmen's Bureau had been approached without success to take charge of the captives.<sup>11</sup> Since these efforts had resulted in little change, Graves recommended that Congress take action, which it did in due time.<sup>12</sup>

The question of reorganization in the service occasioned a slight disagreement. The removal of Delgado had been urged upon the commissioner of Indian affairs by Delegate Francisco J. Chaves, on the ground of "total incapacity" to perform his work. This charge must be discounted a bit because Chaves and Delgado were on opposite sides of the political fence, but in addition to the language handicap, other grounds were found for Cooley to recommend that the superintendency be placed in the hands of Governor Mitchell. The governor held certain military powers which it was considered would be an aid in the management of Indians, and the fusion of the two offices would eliminate one salary cost of \$2,000.<sup>13</sup>

Graves vigorously opposed combining the two offices because "The Indian service in this quarter *imperatively* demands the *constant* and *unremitting* efforts, care and attention of a thorough going, practical and energetic man—the whole time . . ."<sup>14</sup> But he did recommend a general shakeup for various reasons: Delgado should be removed

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11. Andrew Johnson, 6/9/65, I1079/65. Valkenburg to O. O. Howard, 9/8/65, LB 78, p. 162.

12. In *Tomas Heredias v. Jose Maria Garcia*, January, 1867, the Territorial Supreme Court held that a contract under the territorial "Master and Servant" law was involuntary servitude and therefore null and void. *Gazette*, 2/2/67.

By act of Congress, 3/2/67, peonage in New Mexico or elsewhere was declared unlawful. Offenders were subject to a fine of \$1-5,000 and 1-5 years imprisonment. U. S. S. L., XIV, 546.

The Federal Grand Jury failed to indict a number of persons accused of holding Navaho in bondage in the summer of 1868. *The Daily New Mexican*, 8/6/68.

General Sherman issued an order, 9/8/68, granting Indians the option of remaining with their "captors" or returning to their own people. *Ibid.*, 9/23/68. This was a reasonable solution to the problem, and many of the "captives" remained.

13. Cooley to Harlan, 1/17/66, RB 15, p. 47.

14. Graves to Cooley, 1/15/66, G22/66.

because of his language handicap; Diego Archuleta, who had been reappointed to the Abiquiu agency, was accused of having a bad reputation for honesty and integrity; Manuel Garcia was not earning his salary, and M. S. Salazar of the Ute agency was a zealous official but lacked judgment and capacity. The Mexican agents in general had friends and relatives who "hang on to the agency" and who appropriated the Indian goods. Theodore H. Dodd of the Navaho agency was rated as competent. The traditional hostility with the Indians was pointed out as a bar to the use of Mexicans as agents. He condemned the practice of political appointments, and, with the instinct of the reformer, he recommended permanent tenure on good behavior and salaries adequate to attract competent men.<sup>15</sup>

The Bosque Redondo, he believed, was a satisfactory place for the Navaho, but not in company with the Apache because of their traditional hostility; the water was all right (despite former complaints to the contrary); piñon wood for fuel as a substitute for the dwindling mesquite could be secured about twenty-five miles to the north; the Pecos valley provided excellent pasturage; the location was remote from the mountainous retreats of the Indians; and the mineral wealth in the old Navaho country could be exploited. In short, the prisoners should not be returned to their former homes. Their fear of dwindling away in their new environment was merely a superstition. In attributing the visitations of measles to the unhealthy location they failed to recognize that epidemics of that sort were "the divine visitation of God for his own good purpose." Finding about 2,000 acres under cultivation, and that fruit trees and vines had been set out, he believed that the experiment of Carleton on the whole was successful.<sup>16</sup>

The recommendation of Graves for a change in the personnel was promptly carried out. Colonel A. Baldwin Norton was commissioned superintendent in February, 1866.

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15. Graves, *Report*, No. 4.

16. Graves, *Report*, No. 8.



Delgado went through the formality of resigning his position, complaining of not having received the proper financial support nor recognition during his tenure of office;<sup>17</sup> in fact, Graves had practically superseded him in the control of financial matters. Before the new incumbent arrived, Archuleta was suspended in April on the ground of misconduct in office,<sup>18</sup> and Dodd was reaffirmed in May as agent to the Navaho.

Dodd had come to New Mexico with Doolittle in the summer of 1865 as agent for the Navaho, but his commission had been withheld temporarily because he disobeyed instructions to visit Washington before proceeding to the scene of his work. Carleton was troubled at that time by the usual delay in forwarding goods for his charges. He therefore sent Dodd back East "to see personally after these important matters in which the health and comfort of 9,000 Indians—*entirely dependent upon the Government for everything*—are concerned."<sup>19</sup> Despite his exertions to hasten matters the train of goods started across the plains too late in the season to complete the trip, so it wintered at Fort Zarah, Kansas; however, necessary farm equipment for spring planting was sent through by mule teams.<sup>20</sup>

The Graves report, far from settling the Navaho question, seemed but the prelude to the working of diverse forces which ultimately led to the abandonment of the Bosque Redondo. The question of transferring the Indians to the control of the department of the interior was debated, the military advocated their removal to the Indian Territory, and internal affairs on the reservation went from bad to worse.

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17. Delgado to President Johnson, 5/20/66, D319/66.

Occasionally an agent in New Mexico believed that he could be removed only by the officer who signed his commission, the President of the United States. Delgado probably acted under that theory.

18. Graves to Delgado, 2/24/66, G54/66. Cooley to General Geo. P. Este, 3/7/66, LB 79, p. 390.

19. Carleton to C. I. A., 8/6/65, A. G. O., LS 15, p. 56. Cooley to Dodd, 8/5/65, LB 78, p. 6.

20. Dodd to Cooley, 12/31/65, D88/66.



The expectations of Carleton that the prisoners would be self-supporting within a year by farming had not been realized. The cost to the department of war of subsisting them for the eighteen months period from March 1, 1864, to October 1, 1865, was \$1,114,981.70.<sup>21</sup> This of course did not include the expense of transportation nor the sums appropriated by congress and expended by the Indian bureau. Since the army estimates for the year 1866-1867 were not based on the continuation of this extraordinary expense, the commissary general of subsistence, A. B. Eaton, raised the issue of transferring the Navaho to the civil department. Secretary Harlan was not adverse, of course, to the plan. The main plea for not assuming responsibility when the first party of captives arrived in September 1863, had been the lack of money to provide food for them. The remedy for that difficulty simply lay in congress appropriating the necessary funds and having the civil officials do the spending.<sup>22</sup>

The system of double jurisdiction was also unsatisfactory. The military fed the captives, stood guard, and superintended the farming operations; the Indian bureau provided clothing and equipment. The Bosque Redondo was not a military reservation, but was officially a reservation for Indians. In cabinet discussion, Secretary Stanton urged that the prisoners be transferred to the control of the department of interior on the grounds that they would then be under the proper jurisdiction, the military could resume their primary duties, and stricter accounting and economy could be enforced. Any requisitions that the agent might make on the army subsistence department could be paid for. This meant a return to the usual condition where the military aided the Indian service in emergencies, with the expectation of being reimbursed. The commissioner of Indian affairs heartily concurred in the opinion of the secretary of

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21. A. E. Shiras to Doolittle, 12/28/65, 181/66.

The cost per person per day varied from 21-4/5c to 33c, 1161/66.

22. Eaton to Stanton, 12/27/65, 181/66 and 11/17/65, 188/66.

war, expecting of course, "the cordial co-operation of the military authorities, if their aid should be necessary."<sup>23</sup>

The order for the transfer of the Navaho to the control of the department of interior was issued on December 31, 1866, but, for several reasons, the actual change was delayed until November 1, 1867. Superintendent Norton was absent from New Mexico for several months because of illness and no one was officially designated to act in behalf of the civil department. Upon the return of Norton to his duties in the summer, the new commander of the District of New Mexico, Major General G. W. Getty, was not aware of the existence of the order of December 31, 1866. When he discovered it on September 30, the final step was delayed until the next regular date for issuing rations.<sup>24</sup> Agent Dodd then accepted control of 7,111 Navaho from Major Chas. J. Whiting and the military were finally relieved of their four year burden.<sup>25</sup>

Superintendent Norton assumed the additional responsibility reluctantly. He had estimated the cost for the support of the Navaho at \$600,000. Congress saw fit to appropriate only \$100,000 "for subsistence and for the purchase of sheep, seeds, agricultural implements" and a like sum for

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23. L. V. Bogy to Browning, 12/7/66, RB 16, p. 56. Stanton to O. H. Browning, 10/31/66, O. I. A., I. D. File. Cooley to Harlan, 9/10/66, RB 15, p. 457.

The proposal was often advanced to transfer the control of Indian affairs to the Department of War. An amendment to the Indian Appropriation bill to that effect was defeated in the Senate by a vote of 24-13, February, 1867. Friction between the military and civil officials, dishonesty in the Indian service, and intermittent Indian hostilities were among the reasons advanced for the change. The Territories were opposed to this move, probably because it meant loss of political patronage and opportunities to trade with the Indians. See *Cong. Globe*, 39 Cong. 2 sess. pt. 3, p. 1681-83, 1714f, 1717-20; and 1 sess. pt. 4, p. 3506-07.

24. Stanton to Browning, 1/23/67, C94/67; see also N159/67. Norton to Getty, 8/21/67, N159/67. Dodd to Norton, 3/15/67, N55/67.

New Mexico was reduced to a military district, 9/12/65, and assigned to the Department of California. Due to Carleton's protest against the distant jurisdiction of the commander at San Francisco, New Mexico was transferred to the Department of Missouri, 10/10/65. A. G. O., LS 15, p. 120, 132, 189.

Carleton was relieved from his command in New Mexico in September, 1866, and succeeded by General George Sykes, who in turn was succeeded by Getty.

25. G89/67.

Crocker was transferred to the army of the Cumberland, March, 1865. Brevet-Major Henry B. Bristol had been post commander under Crocker and was transferred to New York, October, 1866.

“relief,” with the proviso that the department of war should furnish no more rations after July 1, 1867.<sup>26</sup> Obviously, in the light of past experiences, the appropriation would last for only a short time. Yet, the new task was taken in hand and the lucrative contract for feeding the Navaho was awarded to Elizah Simerly who assigned it to Perry Fuller & Co. of Lawrence, Kansas.<sup>27</sup>

The heyday of military domination of Indian affairs in the Territory of New Mexico had now passed. The star of Carleton had set and his experiment in civilizing the Navaho on the Bosque Redondo reservation was doomed. Despite his early irritation at the failure of Steck to take care of the prisoners, he now feared that the transfer of control would result “in great injury to, if not in the positive failure of, the important measure of fixing forever the Navajo tribe of Indians upon a reservation.”<sup>28</sup> However, the fundamental cause of the defeat of his project was not to be found in the change of jurisdiction, but in the internal conditions at the Bosque Redondo.

In addition to the controversy between Steck and Carleton, there were four main reasons for the failure of the policy of locating the Navaho on the banks of the Pecos: insufficient wood for fuel, crop failures, inadequate financial support, and hostility of the Comanche Indians. The mesquite had been relied upon as the fuel supply, but for 7,000 or more users it proved to be insufficient. This pos-

26. Taylor to Otto, 5/25/67, RB 16, p. 330. Norton to Taylor, 10/4/67, N159/67. U. S. S. L., XIV, 514.

Congress had appropriated the usual annual \$100,000 the previous year, July, 1866.

27. F105/67.

During the absence of Norton in the spring of 1867, the commissioner of Indian affairs had recommended that a special agent be appointed to investigate the problem of feeding the Navaho. Overruled quite properly by the secretary of interior as unnecessary, Taylor appealed directly to the President without result. In complaining of the action of his superior, he stated that “it would have been better for the service that such precedents should have been earlier established, as Special Agents in cases far less urgent, and at *large salaries* have been very recently and from time to time appointed within the few months during the administration of the present secretary.” Taylor to President, 6/11/67, RB 16, p. 357; see also p. 347, 373.

28. Carleton to A. G., 2/11/66, 1161/66.



sibility had been foreseen by Carleton, and among his early instructions was the order to plant trees against the day of the disappearance of the natural growth. From December 7, 1864, to April 30, 1865, the Indians, under military supervision, planted 12,068 trees.<sup>29</sup> This measure, however, did not produce soon enough. By 1867, the Indians were traveling five to eighteen miles away to secure fuel, carrying it home on their backs. A one "man" load lasted but a short time during the cold months; consequently, it was a constant race to secure enough fuel to prevent suffering from the cold and even freezing to death. The Navaho complained about this situation and requested animal transportation to better enable them to cope with the problem; the situation became increasingly serious to the point that the superintendent finally wrote: "God knows what these indians will do for fuel this winter—God only knows—It becomes scarcer and farther off daily."<sup>30</sup>

The failure of the crops was particularly discouraging because the success of the colonization scheme was based upon the theory of turning the Navaho into a farmer. The first season the corn crop was almost entirely destroyed by worms, and grasshoppers occasionally bothered the other crops. Some of the land was too alkaline for cultivation. Hailstorms at times and insufficient water added to the troubles. The lack of water was partly due to the difficulty of turning the river into the irrigation ditches, the sandy bottom of the Pecos being a treacherous foundation for a

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29. S. J. C., 1867, p. 322.

30. Norton to Mix, 11/11/67, N179/67. See also Norton to Taylor, 8/20/67, N128/67 and 9/15/67, N153/67. Getty to Norton, 10/5/67, N165/67.

"Cole: "I am informed that many of them have perished from cold and from other privations. I believe . . . that they have suffered beyond all precedent almost for the want of the necessaries of life, particularly for the want of shelter and fire." *Cong. Globe*, 40 Cong. 2 sess. p. 2014, 3/20/68.

"Fuel was the only element not in abundance; yet it was as abundant as at any town or pueblo in the Territory, and the alleged scarcity would receive its proper estimation by such comparison." Gwyther, "An Indian Reservation" in *Overland Monthly*, X, 127 (Feb. 1873). This opinion can hardly be accepted at face value. The villages in the mountains had access to abundant fuel, and the settlers in the Rio Grande valley though less favorably situated for fuel were comfortably housed in adobe structures for protection against the cold.



diversion dam; a flood might sweep away such a structure at a time when the need of water was greatest.<sup>31</sup>

The problem of managing the farming activities was also troublesome. In place of employing a sufficient number of experienced farmers to direct the labor of the hundreds of Indian workers, a military officer was detailed to superintend the work. This proved to be unsatisfactory, either because of his lack of experience for such work or because of a lack of interest; and, of course, some Navaho were not inclined to work. To solve this difficulty, Dodd recommended in the summer of 1866, that the farm land be divided into ten acre plots with a practical farmer and assistant in charge of each division. The Indians who desired to work would be settled on the edge of these plots with a permanent home and personal garden plot. This proposal was in keeping with the current idea of allotting the land in severalty.<sup>32</sup> The plan was followed in certain respects the next year, but without appreciable results:

2367 acres were carefully ploughed and planted . . . This farm was divided into three sections, and each section was subdivided into ten-acre fields. Over each of the three divisions a non-commissioned officer, with four private soldiers as assistants, acted as superintendent, and eighteen Indians performed the labor; the soldiers instructing and assisting them . . . Lieutenant McDonald had entire control over all farming operations.<sup>33</sup>

What with crop failures and a parsimonious (or dishonest) master, the Navaho were never adequately supplied with food or clothing. In spite of the efforts to make

31. Sykes to A. A. G., 4/9/67, A. G. O., LS 43, p. 142. Getty to Norton, 10/5/67, N165/67.

32. Carleton to A. G., 4/24/65, S. J. C., 1867, p. 224. Carleton to Sykes, 12/12/66, A. G. O., LS 43, p. 30. Norton, *Annual Report*, 9/28/66, 39 Cong. 2 sess. Hse. Ex. Doc. 1, II, 147 (1284). Dodd to Norton, 8/28/66, *Ibid.*, p. 149-50.

33. McClure to Eaton, 12/9/67, 40 Cong. 2 sess. Hse. Ex. Doc. 248, XV, 2 (1341).

McClure also stated that the farm failed this season because of dryness, washing away of the Pecos banks and consequent scanty water in the *acequias*, strong alkaline water and soil. The result was rather discouraging, he wrote, but had taught the Indians agriculture, a first lesson in civilization.

them self-supporting, they were absolutely dependent upon the government for subsistence. This was a prime factor in keeping them on the reservation. As Carleton wrote, "The great magnet which really holds the Navajos fast to the Reservation is the food which they get once in two days. . . . They cluster around the commissariat like steel filings around a loadstone . . . Now I believe they have no disposition to run away," except for a few vagabonds.<sup>34</sup> He was probably wrong in his estimate of their disposition, but it was a long way to their old home and the military were prompt in the early years in pursuing large parties that left.

The ration issued to the Navaho varied from three-quarters to one pound of meat per day for each person and a like amount of bread-stuff. The Indians were counted and ration cards issued as they filed through a gate into a corral. The cards at first were made of card-board. They were sometimes lost and often forged. Stamped metal slips were next used, but the clever Navaho craftsman made dies and again forged them. At one time there were about 3,000 extra ration tickets in existence. The situation was finally changed by securing them from Washington with an intricate and special design that could not be copied.<sup>35</sup>

In regard to clothing, the well-known ability of the Navaho in the art of weaving was not utilized for their benefit. Instead of supplying the prisoners with flocks of sheep in place of those taken as part of the spoils of the roundup, cheap shoddy blankets, which provided but little warmth and were quickly worn out, were purchased in the East or Middle West and transported at considerable expense to the reservation. Sometimes they were picked to pieces and rewoven into a better article. In addition to the poor quality, there was a lack of quantity. Granting that congress was generous in appropriating money for clothing and farm implements, whether the whole of the proceeds

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34. Carleton to Hancock, 1/23/67, A. G. O., LS 43, p. 64.

35. Sykes to A. A. G., 4/9/67, *Ibid.*, p. 42. Gwyther, "An Indian Reservation," in *Overland Monthly*, X, 128 (Feb. 1873).

would be spent in the interest of the Indian was another question. And, as a matter of fact, it was not.<sup>36</sup>

The final reason for the failure of the Bosque Redondo experiment was the plains Indians. The Navaho had been located on the western edge of the Comanche country. These nomads (Comanches) had long been a source of trouble to the white man, especially along the Texas frontier, which was their special field for depredating. They found a ready market for some of their spoils, particularly cattle, through trade with the New Mexicans in the eastern part of the Territory. Through this channel they received guns and ammunition, or hoop iron for making arrow heads, and sometimes whiskey. The trade assumed extensive proportions at times; about 700 traders were in the field in 1867 due to the practice of subletting licenses and the loose manner of issuing the permits. It was suspected that some of them who did not favor the Bosque Redondo reservation incited the Comanche to attack their new neighbors.<sup>37</sup>

Various steps were taken by the government to solve this problem, not only for the sake of the Navaho but as a part of the general attempt to control the Indian tribes. In the summer of 1866, Norton revoked all permits for trading. This proved to be only a temporary measure. The following year he sought an agreement with the Comanche for the protection of the Navaho. A conference was held in Santa Fé in September between representatives of the two groups, but it produced no results. Two months later, when Agent Labadie made a trip to the Texas Panhandle for another interview, "They indignantly refused to make any terms of peace with the Navajos, and manifested their natural

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36. Carleton to Hancock, 1/20/67, A. G. O., LS 43, p. 60. Norton to Taylor, 9/15/67, N153/67.

Twenty years later it was written in regard to appropriations: "That the Indians get but little of it, as a rule, is so notorious that it is a standing joke in this country." Dunn, *Massacres of the Mountains*, p. 15.

37. Norton to Cooley, 7/31/66, N65/66. P. H. Healy to Taylor, 7/31/67, N142/67.

At the time of capturing Peter Allison's train on the lower Cimarron Springs in 1864, the Comanche boasted that they would kill Carleton for giving their lands to the Navaho. *The New Mexican*, 8/19/64.



hatred toward them, saying that they would always fight that tribe . . ."<sup>38</sup>

While the trials and tribulations at the Bosque Redondo were testing the courage of those in charge and wearing out the patience of the Navaho, a movement was started for their transfer to some other locality. The use of the reservation had been severely criticised from the beginning of course, but in 1866 General Pope made a vigorous proposal that it be abandoned. In his opinion it was a mistake to locate Indians on reservations in their own country because of friction with the incoming tide of white immigrants. This difficulty was illustrated, he thought, in the conflict of opinion that had raged around the Bosque Redondo. He proposed that the Navaho be moved farther east to the Indian Territory or to some other permanent location in that general direction. This would result in reducing the cost of subsistence due to the shorter distance to the source of supplies, it would bring the Indians under a more civilizing influence, fewer troops would be required to guard them, and the frontier would be opened for settlement. He considered the Bosque Redondo to be the best location at the time selected because it was the farthest point east that Carleton was then able to take his prisoners.<sup>39</sup>

Pope's idea of Indian country in regard to the Navaho was certainly broad. The Bosque Redondo was a long way from their old home. However, this assault on the reservation met with a cool reception in the department of interior, although it found a ready welcome in the ranks of the military. General Sherman passed the responsibility for deciding the issue on to Washington with the remark, "This is a matter of some importance, and is most costly. I think we could better afford to send them to the 5th Avenue Hotel to board, at the cost of the U. S."<sup>40</sup> The lateness of the

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38. Labadie, Report, December, 1867, in *The Daily New Mexican*, 8/14/68. Bell, *New Tracks in North America*, p. 145f.

39. Pope to Sherman, 8/11/66, 39 Cong. 2 sess. Hse. Ex. Doc. 1, III, 24ff (1285).

40. Quoted in Stanton to Browning, 10/12/66, O. I. A., I. D. File. See also Harlan to Cooley, 8/13/66, 1525/66.



season when the matter was discussed in Washington delayed any immediate action, but the stage was set for a change. The President instructed Secretary Browning to mature plans for disposal of the Navaho, to be carried out as soon as conditions would permit. The idea of seclusion from contact with the whites, so common at the time, influenced his opinion, and he recommended their removal to the Indian Territory, stipulating, however, that it should be done "with the consent of the removed." The idea of "consent" was to play an influential part in the final decision that was yet to be made.<sup>41</sup>

The proposal to transfer the Navaho to the Indian Territory was in keeping with a general plan to form one large reservation south of the Arkansas River and concentrate all the southern Indians on it. The northern Indians were to be concentrated north of the Platte River. This scheme was designed to open the country between the two rivers to white travel and the construction of a transcontinental railway.<sup>42</sup>

The officials in New Mexico differed in their views and with those of their superiors in Washington. John Ward, one-time agent for the Navaho under Collins, recommended that they be returned to their old home. A line of forts should then be constructed from the San Juan River through Fort Wingate to Fort Craig. A bi-weekly patrol between the posts would constitute a military barrier to restrict the Navaho west of the line and would prevent the illegal entry of white men into the Indian country.<sup>43</sup> Getty, on the other hand, was of the opinion that the Indians could be made self-supporting at the Bosque Redondo under certain conditions that had not been provided in the past, but he suggested that they be located in the country east of the Sacramento mountains, the home of the Mescalero Apache. A prime factor in his opinion was a supply of fuel.<sup>44</sup>

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41. Grant to Browning, 10/13/66, O. I. A., I. D. File.

42. *Cong. Globe*, 40 Cong. 1 sess. p. 667-70.

43. Ward to Norton, 12/20/66, N67/67.

44. Getty to Norton, 10/5/67, N165/67.

Superintendent Norton held a conference with eleven Navaho chiefs in September, 1867. They reiterated their complaints, making it clear that they were not satisfied with the Bosque Redondo. Events now began to move rapidly toward a crisis. That same month the Comanche raided and killed nine Navaho, besides capturing two women. The soldiers failed to catch the marauders, and the Navaho were not properly armed to punish them decisively. This episode on top of their accumulated woes developed a strong spirit of unrest among them. A party estimated from 200 to 250 deserted the reservation on the 26th and 27th. Norton immediately sought permission from Washington to issue 4,000 Mexican blankets to quiet the others, a step that was promptly approved by wire.<sup>45</sup>

The quick action of Norton in meeting the delicate situation in September was only a stop-gap, and the crucial question of what to do with the Navaho was yet unanswered. He strongly favored the policy of removal: "Justice, humanity, Christianity, and the welfare of the Indians. The safety of the whites, and the *pecuniary interests* of the government all demand the change." But where? He analyzed the proposals of Ward and Getty. If removed to their old country they could be made self-sustaining within one year, while it would take four years at an estimated expenditure of \$700,000 to accomplish the same result if the proposal of the military commander was followed. The immediate pecuniary advantage of the suggestion of Ward was outweighed finally by the belief that the Fort Stanton area would make possible a much sought after goal; namely, the protection of the whites against the Indians for all future time because of its remoteness from the settlements,<sup>46</sup> a rather unsound argument.

The spirit of Carleton still hovered over the office of Indian affairs. Perhaps the Bosque Redondo experiment

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45. Dodd to Norton, 9/11/67, N155/67. Norton to Taylor, 9/15/67, N153/67. Dodd to Norton, 9/29/67, N161/67. Norton to Mix, 10/10/67, T139/67. See also report of council with the Navaho, 7/15/66, N66/67.

46. Norton to Taylor, 10/19/67, N169/67.

could be carried on to success under the management of the Indian bureau with proper support from congress. And by no means should the Navaho be allowed to return to their former homes where the old game of hide-and-peek with the military would have to be played again. The "good of the Indians, the safety of the white settlers in their vicinity, and the general prosperity of the Territory . . ." forbade such a move. This view was clinched with the stock argument that it was cheaper to feed them than to fight them.<sup>47</sup>

While the officials were proposing, other forces were disposing. The Navaho owning horses planned to steal away during the winter. In the month of January, 1868, 250 to 300 were estimated to have left.<sup>48</sup> Contemporary with this movement, the Indian Peace Commission was recommending to congress that a treaty be made with the Navaho, or their consent obtained in some other way, for their removal to the southern Indian district "where they may soon be made self-supporting."<sup>49</sup> Their proposal carried force because the cost of feeding the Indians weighed heavily with congress and that will-o'-the-wisp, "self-support," might yet be attained if prompt measures were taken:

We are paying now for the subsistence of seventy-five hundred Navajo Indians in New Mexico. We have for the last five years issued to them rations costing us \$750,000 per year, and it is likely to cost us that amount of money again this year unless we remove the Indians somewhere.<sup>50</sup>

Congress followed the advice of the commission and intrusted it with the task of settling the Indians on some permanent reservation, the earlier instructions of President Grant becoming the basis of the plan. Inspector-General

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47. Taylor to Browning, 2/21/68, RB 17, p. 168. C. I. A., *Annual Report*, 1867, p. 12.

48. Dodd to Norton, 12/7/67, N197/68. A. Rosenthal to Captain Henry Davis. 2/1/68, D990/68.

49. 1/7/68, 40 Cong. 2 sess. Hse. Exec. Doc. 97 (1337).

50. Henderson, 3/10/68, in *Cong. Globe*, 40 cong. 2 sess. pt. 2, p. 1789.

The cost of subsisting the Navaho from 11/1/67 to 5/23/68 was \$280,830.07. Dodd to Sherman & Tappan, 5/30/68, R. C. D. No. 63, p. 304-06.



R. B. Marcy had been requested by Sherman to render a report on the country lying between the 98th and 101st parallels, the Canadian River on the north and the Red River on the south. Marcy selected a site for a Navaho reservation between the Wichita Mountains and the Red River. The Indians could become self-supporting there within two or three years, he believed. Sherman doubted that a reservation in their old country could be permanent because of the rising tide of miners pushing into western Colorado and northwestern New Mexico; so, "with the light now before me, I would prefer their removal to a point north of the Red River, west of the Chickasaw line and east and south of the Wichita mountains."<sup>51</sup>

The commission empowered Sherman and Tappan to proceed to New Mexico and negotiate a treaty with the Navaho for their removal. The two delegates left for the Territory in May with the idea in mind that there was no use in moving the Indians unless they were located east of the 98th parallel. But at Trinidad, Colorado, Sherman dispatched a note to Getty to meet with them at Fort Sumner and "to bring with me [him] one or more who are familiar with the old Navajo Country, west of the Rio Grande."<sup>52</sup>

The two commissioners to the Navaho surveyed the scene at the Bosque Redondo and consulted with Getty, Dodd, and others.<sup>53</sup> On May 29 and 30 they held councils with the Navaho. Three propositions were laid before the Indians as the basis of the discussion: they could settle anywhere as citizens in the Territory of New Mexico, remove to the region of the lower Canadian and Arkansas rivers, or discuss the advisability of returning to their old country. Needless to say, the last one was seized upon as the choice, which was in keeping with their attitude for the past year. They had refused to plant crops and had petitioned their

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51. Indian Peace Commission, *Proceedings*, 4/1/68, *Ibid.* Marcy to Sherman, 3/30/67, O. I. A., I. D. File.

52. Getty to A. A. G., 5/23/68, A. G. O., LS 43, p. 530. Sherman to Browning, 4/28/68, S566/68. Indian Peace Commission, *Proceedings*, 4/6/68, in O. I. A., I. D. File.

53. Norton died, 1/10/68.



agent to return them to their old home until Dodd was convinced that they would never be contented elsewhere. Several other factors influenced the commissioners to satisfy the longings of the Indians: the secretary of interior had been lukewarm toward the proposition to move them farther east; peonage had been abolished in New Mexico, thus removing a chronic cause of war with the Navaho; their old country "is unoccupied, is utterly unfit for white civilization, and towards which they yearned as the Swiss for their native mountains;" and "Without absolute force they will not remain here or immigrate further east."<sup>54</sup>

As the military had moved the Navaho from their tribal home to the Bosque Redondo, the military moved them back. In both cases action was taken under the war powers. Without waiting for the formality of treaty ratification by the senate, Sherman issued the order for their removal on June 1: "Until congress makes provisions to carry out the terms of our treaty, as the military commander on this frontier, I authorize and instruct you to put these people in motion for their own country."<sup>55</sup> But where the removal under the direction of Carleton had been based on the will of the white man, the action of Sherman and Tappan was based on the desires of the Indians. In both cases there were people who questioned the wisdom of the decision. In anticipation of criticism of the action now taken, Tappan vigorously pointed out that the Navaho

have been prisoners of war to all intents and purposes, and the person who for selfish pecuniary and political purposes is responsible for such inhuman treatment of these Indians as that of keeping them for nearly four years upon such a reservation deserves the condemnation of the people, the severest and most ignominious penalties of violated law. To have compelled them to remain "would have forced upon them the horrors of Andersonville and ren-

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54. Sherman to Henderson, 5/30/68, 40 Cong. 2 sess. Hse. Ex. Doc. 308, XIX (1845). Sherman to Browning, 6/1/68, R. C. D. No. 63, p. 299. Council, *Proceedings*, 5/29/68, R. C. D. No. 63, p. 301. Dodd to Sherman and Tappan, 5/30/68, R. C. D. No. 63, p. 304-06.

55. Sherman to Getty, 6/1/68, R. C. D. No. 63, p. 307.

dered our government infamous . . . Navajoe men, women, and children were compelled in mid winter, to travel on foot over a bleak plain, from twelve to thirty (12 to 30) miles to dig from a hard soil, the mesquite root and pack it on their shoulders back to prison . . ." Sherman acted promptly, with judgment and humanity as military commander in a crisis "when as commissioners we were powerless—not hesitating to assume responsibility." It was a most infamous crime ever to have removed them.<sup>56</sup>

In contrast to the unwilling trek eastward under duress, with a past history of war and depredation, they now returned westward willingly with the desire to live in peace with their white neighbors. Five years of enforced restraint at the Bosque Redondo had impressed upon them more strongly the wisdom of adhering closely to some of the demands of their conquerors. They even acquired a reputation of having destroyed and stolen less on the return march than a column of soldiers of like number would have done. Only one complaint was registered against them; the thief was punished by order of Barboncito, being tied to the end of a wagon and forced to walk.<sup>57</sup>

Major Whiting was placed in charge of the Navaho migration, a ten-mile long procession moving westward to Albuquerque by way of San José and Tijeras Canyon. Seven days were spent in crossing the Rio Grande. They arrived at New Fort Wingate on July 22 after a trip of thirty-five days. Dodd then assumed charge and the Indians eventually spread back into the hills and mesas of their old home. The government spent about \$56,000 on the removal from Fort Sumner, but the dream of Navaho self-sufficiency was not yet attained, many more dollars being yet to be spent in the next decade.<sup>58</sup>

56. Tappan to Browning, 6/20/68, O. I. A., I. D. Files.

57. Davis to Taylor, 9/15/68, 40 Cong. 3 sess. Hse. Ex. Doc. 1, II, 619-21 (1866). *The Daily New Mexican*, 7/10/68.

58. Getty to Gen. C. McKeever, 7/14/68, A. G. O., LS 43, p. 591, see also p. 537, 538; Getty to Whiting, *Ibid.*, p. 536. McClure to Mix, 10/7/68, M1964/68. H. M. Davis to Mix, 10/14/68, W1090/68. Wm. Rosenthal to Davis, 7/24/68, W967/68. Hunter to Whiting, 7/12/68, A. G. O., LS 43, p. 589. *The Daily New Mexican*, 7/10/68.

CHAPTER IV  
THE NAVAHO DENOUEMENT

The treaty signed with the Navaho at Fort Sumner on June 1, 1868, can be summarized briefly: the Navaho agreed to surrender their bad men for punishment under the laws of the white man; their reservation was to extend from the 37th parallel of latitude southward to an east-west line through old Fort Defiance, and from a north-south line through Bear Spring westward to longitude 109° 30' including the "outlet of the Canon-de-chilly"; various buildings were to be erected at a total cost of \$11,500; the agent was to reside at the agency; farm land could be secured in severalty at the rate of 160 acres for each head of a family and eighty acres for each male adult; financial aid should be extended to individual proprietors to a maximum of \$150 expended over a period of three years; education was compulsory between the ages of six and sixteen; annuity goods were promised for ten years at a maximum cost of \$5.00 per Indian, and \$10.00 per person was granted to those who engaged in agricultural and mechanical pursuits; the Navaho were permitted to hunt on unoccupied land adjacent to the reservation; they agreed to grant a right-of-way for a railroad; three-fourths of the adult males must ratify any proposed cession of tribal lands; individual owners of land could be dispossessed only by their consent; and \$150,000 was provided to cover the cost of removal, subsistence for the first winter, and for the purchase of sheep and goats to a value of \$30,000<sup>1</sup>.

The treaty had certain weak points. In the first place, it was predicated on the fundamental error that the Navaho were destined to become a settled, agricultural people, the same idea that Carleton had in mind in his Bosque Redondo experiment. On the contrary, they were more interested in raising sheep and accumulating horses than in following the life of a farmer. When at Fort Sumner, they had re-

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1. Kappler, II, 1015-19.



quested repeatedly a supply of sheep to rebuild their greatly reduced flocks. The government, however, had sent them farming implements and eastern-made goods.

In keeping with the above policy the lines of the reservation were drawn to include the rich San Juan valley on the north. On the other hand the east and west boundaries were cramped together and the southern boundary placed so far north that parts of the old tribal range were excluded. This part of the treaty was soon a dead letter. The Navaho refused to venture north of the San Juan River because of the Ute barrier. On the other three sides they blithely ignored the boundary lines and grazed their stock where forage could be found.

The temptation to wander off the reservation was further strengthened by the provision for hunting on unoccupied adjacent land. This concession was designed to supplement the Navaho economy until the game had disappeared or the white settlers had occupied the region. General Sherman gave it a flexible interpretation at the time the treaty was signed: "You can go outside the line to hunt. You can go to Mexican towns to trade, but your farms and homes must be inside the boundary line, beyond which you have no claim to the land."<sup>2</sup>

The second unsound assumption was the belief that the Navaho would be self-supporting after the first year. The appropriation provided for in the treaty covered subsistence then for one year only. This same will-o'-the-wisp had tantalized the government for the preceding five years, and it continued to beguile them. The Navaho had been self-supporting before the Carleton round-up, but they were then plentifully supplied with sheep; now it would take time to build up their flocks again. Meanwhile the lack of sufficient food because of their small flocks, crop failures, a parsimonious government, and unwise expenditure of funds, continued to be a chronic complaint.

Thus the return of the nomads to their old home did not solve immediately the problem of their management.

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2. Council with the Navaho, 5/29/68, R. C. D. No. 63, p. 301.



For the next ten years the government was faced with difficulties of making them self-supporting, and of adjusting their reservation limits to their natural habits. In addition to these the dying embers of their old marauding habits bothered the settlers for some time and certain reforms in the Indian service did not produce the millenium in management.

Efficiency in management was sought by a radical shakeup in the Indian service. The Indian peace commission of 1867 recommended, because of the corruption that had crept into Indian affairs through party politics and the natural greed of man, that congress fix a date not later than February 1, 1869, for the removal of all superintendents and agents. Those who had proved faithful and competent could be reappointed; the unworthy, of course, would be eliminated permanently. They further recommended the old division of responsibility: the civil department should have the task of civilizing the Indians, the military should take charge of hostiles.<sup>3</sup>

Public opinion favored the reform movement and the shakeup in personnel in New Mexico occurred in 1869. Two sources were drawn upon by the government for selecting the new appointees: religious bodies and the army. The Quakers had petitioned the president "for a more liberal and attentive consideration of the welfare of the Indians than had recently been given to the subject by his immediate predecessors." They were consequently called upon to accept responsibility for the Indian tribes in Kansas, Nebraska, and a part of Indian Territory. The army was given the responsibility of the other tribes. This was in keeping with the arguments long advanced that the army could manage the Indians with greater economy and with more integrity than could the bureau of Indian affairs.<sup>4</sup>

3. Indian Peace Commission, 1867, *Papers*, O. I. A., I. S. P., Drawer No. 6.

4. S. I., *Annual Report*, 1869, 41 Cong. 2 sess. Hse. Ex. Doc. 1, III, x (1414). C. I. A., *Annual Report*, 1869, p. 5, *Ibid.*, 1870, p. 10. Colyer to Lowrie, in B. I. C., *Report*, 1870, p. 93-94. *Tribune* (New York) in *The Daily New Mexican*, 5/19/69; *Ibid.*, 5/22/69.

The use of the army officers did not prove popular in certain quarters. Vincent Colyer, the energetic secretary of the board of Indian commissioners, opposed their employment on the ground that it was "simply policing the Indians, not reclaiming or civilizing them." This view was finally accepted by congress and the army appointees were retired from their positions in 1870. To fill the vacancies other religious bodies were called upon to follow the example of the Quakers. As a result, the Navaho were entrusted to the care of agents approved by the Presbyterian board for foreign missions.<sup>5</sup> Despite the new policy the Navaho agency was a scene of too frequent changes in agents and complications due to other disturbing factors for a decade following the abandonment of the Bosque Redondo.

Under verbal instructions from Sherman and Tappan, and to conform to the terms of the treaty, Dodd recommended that the agency be located at Fort Defiance. It was a suitable location from the standpoint of timber, grazing, and farm lands for the agency, and nearness to the cultivated area in the Canyon Bonito, where many of the Indians would settle.<sup>6</sup> With the agency located, Dodd's work for the Navaho was terminated by death from paralysis, on January 16, 1869.<sup>7</sup>

A series of rapid changes in agents now followed. Henry Wood Dodd, a brother of the former agent, was placed in temporary charge until French arrived from the Abiquiú agency. The switch to army officers then followed and Captain F. A. Bennett assumed control in August, 1869.<sup>8</sup> Bennett was followed by James H. Miller in January, 1871, when the policy of using army officers had been dropped. Miller was murdered by a band of Ute Indians about 100 miles northwest of his agency in June, 1872, and W. F. Hall next held the position until relieved by W. F. M.

5. B. I. C., *Report*, 1870, p. 95, Colyer to Lowrie, in B. I. C., *Report*, 1870, p. 93-94. Colyer to Rev. Mr. Anthony, 6/25/70, *Ibid.*, p. 95.

6. Dodd to Taylor, 8/4/68, D1412/68. Dodd to Webb, 8/5/68, W988/68.

7. *The Daily New Mexican*, 1/23/69.

8. Gallegos to H. W. Dodd, 1/23/69, D259/69 and G26/69. Clinton to Parker, 8/18/69, C418/69.

Army in September, 1873.<sup>9</sup> Under Army's administration complications developed which led the Navaho to drive him off the reservation.

This violent termination to Arny's career with the Navaho was due to two factors: the squaw-men, and the personality of Arny. The squaw-man was a power to be reckoned with.<sup>10</sup> Through proficiency in the Indian tongue and long residence they acquired an influence which sometimes was greater than that of the agent. Upon assuming charge at Fort Defiance, Arny had discharged two squaw-men employees, Thomas V. Keams and Du Bois, because he believed they had acquired an inimical influence over the Navaho. Perhaps, in this case, the agent misjudged his men, and certainly the act did not smooth the way for him at his new post. Furthermore, he laid himself open to suspicion on the part of the Indians, a fact which was taken advantage of by these opponents to weaken his authority.

Arny was a combination of the idealist and realist. He was a territorial politician interested in the welfare of the nomads, provided they did not impede the economic development of the territory and the advancement of his own interests. Verbose in speech and writing, sometimes to the point of bombast and at other times with a tendency toward vagueness, he aroused the distrust of his associates and yet maintained his political strength in Washington. Whether he was afflicted with the weakness of speculation may be questioned, but he probably was.

In the summer of 1875, he departed for a trip to Washington with a party of his wards. During his absence the Indians drove away the agency employees and refused to

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9. Pope to Walker, 6/16/72, P905/72. See also H93/72 and D575/73.

10. "All the intercourse between the Government and the Indian is filtered through these men and partakes of their character, being full of duplicity, treachery, and evasions. In all the length and breadth of the plains there is not an interpreter that can be relied on; and no treaty or delicate mission should ever be undertaken without several interpreters, who, moreover, should be required to give each his interpretation out of hearing of the others. There are in the United States about 100 Indian reservations and agencies, at each of which there is an average of about ten of these squaw men. . . . They are an injury to the country, a detriment to the Indian, and should be abolished." Dodge, *Hunting Grounds*, p. 428.



permit him to return to his position. This act was the culmination of the attempt to get rid of the agent, first started by petition in May for his removal on the grounds of loss of faith in him and because of his peculations. Since the attitude of the Indians was so threatening, Army tendered his resignation in August. General Sherman recommended that it be accepted in order to quiet the Navaho, advice that was followed by the secretary of interior and Dr. Lowrie of the Presbyterian board.<sup>11</sup> The military took charge of the agency in September until a successor to Army could be appointed.

Irvine was transferred from the Cimarrón agency and arrived at Fort Wingate in December. He had made a good record as an honest and forceful agent, but the new scene of labor was not regarded as a sinecure by contemporary opinion:

How he will succeed under greater responsibilities among a nation of breech-clouted brutes, removed to the mountains beyond the pale of civilization, with bad white men clinging to the borders of the reservation, we must confess is quite problematic in the light of past experience.<sup>12</sup>

He succeeded well enough, but resigned in July, 1877. If no "side" money was made, the salary of an agent was hardly sufficient for support; he had spent about \$800 per year of his own money.<sup>13</sup>

John E. Pyle was the next agent to serve the Navaho. He was commissioned in December and arrived at his post of duty in April, 1878. The chronic difficulty of eliminating liquor from the reservation faced him, but the problem of attaining economic self-sufficiency for the Indians had been pretty well solved. He was able to report that by farming and grazing the Indian had "attained to a condition virtually

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11. See correspondence in A581/75, I1148/75, I1574/75, L376/75; LB 126, p. 325. *Grand Jury, Report*, 2nd Judicial District, Albuquerque, 10/9/75, C155/76. C. I. A. *Annual Report*, 1875, p. 330-32. RB 28, p. 99. *Weekly New Mexican*, 10/5/75.

12. *Weekly New Mexican*, 10/5/75. Price to Blair, 12/9/75, W62/76.

13. Sheldon Jackson to Trowbridge, 4/24/80, 1251/80. See also LB 136, 395.



independent of government aid."<sup>14</sup> This long sought objective, however, had not been attained without difficulty.

The treaty provided for subsistence during the first winter and \$30,000 worth of sheep and goats. A difference of opinion over the most advantageous time for purchasing the sheep delayed the fulfillment of that part of the treaty until the fall of 1869, but the realization of the long hoped-for restoration of their flocks was a happy moment of the returned exiles. The agent reported: "I have never seen more anxiety and gratitude displayed than was shown by these people during this issue."<sup>15</sup> However, this happy occasion found the Navaho far from being self-supporting. The peace-loving idealist Colyer could report that

The usual story of useless goods purchased and forwarded at immense expense, by wagon, thousands of miles; of moneys appropriated for building school houses, blacksmith's shops, etc., etc., yet never erected; of promises of cattle and sheep to be furnished, yet never forwarded, applies to the Navajoes as well as to many other tribes.<sup>16</sup>

The charge was literally true in some respects, but the officials were striving to improve the situation. They still had a healthy respect for the marauding ability of the nomads and they knew from experience the cost of military campaigns; consequently, they strove earnestly to maintain the peaceful mood in which the vast majority of the Navaho had arrived home.

The old refrain, "it was cheaper to feed than fight," was the call to action. When the finances of the Indian bureau were exhausted by the fall of 1869, the military came to the rescue; General Sherman turned over the balance of \$33,000 from a special fund,<sup>17</sup> and instructions were issued to "urge upon Capt. Bennett the necessity of exercising the most rigid economy . . ."<sup>18</sup> The military frequently

14. Pyle to Commissioner, 11/8/78, P1137/78, and P240/78; LB 142, 10.

15. Bennett, *Report*, 8/19/70, 41 Cong. 3 sess. Hse. Ex. Doc. 1, I, 612 (1449).

16. Colyer, in C. I. A., *Annual Report*, 1869, p. 90.

17. Sherman to Getty, 11/26/69, W770/70.

18. Parker to Clinton, 11/27/69, LB 93, 168. Sherman to Getty, 11/26/69, W770/70.

granted aid in emergencies for several years more, but the Navaho had lean pickings. Crop failures and tardy government aid often brought them to the verge of starvation. In the winter of 1874, food issues were made to some of them in their hogans because of physical weakness which prevented their presence at the distribution; more often, however, they clustered around the agency seeking relief from their hunger. The variety of goods issued was usually bartered away, frequently for sheep, sometimes for articles of little value. Through the several business transactions involved in translating the money appropriation of the government into tangibles for the use of the Navaho, the true value of the aid was never realized.<sup>19</sup>

In the midst of their trials most of the Navaho practiced self-restraint, but some indulged in petty thieving around the agency and general stealing at more distant points. The legal right to hunt off the reservation and the granted right to trade in the settlements afforded abundant occasion for misbehaving, and the opportunities were sometimes taken advantage of, particularly when hunger urged them on.<sup>20</sup> They ventured as far eastward as the Comanche

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19. Bennett to Clinton, 8/10/70, C1596. Miller to Pope, 7/20/71, P386-71. Dudley to Smith, 2/21/74, D206/74, and Dudley to Arny, 5/4/74, A470/74.

20. "San Ildefonso, July 13, 1869

"Editors New Mexican:

"On the morning of the 7th ultimo, I left the Rio Grande to go to the Valles when I expected to catch plenty of trout and work some on the new land. I arrived at Santa Rosa at nightfall, and as soon as I arrived there we tried to bring in the horse herd, but could not get them to come near the corral, and left them in the woods. Early next morning we found that herd had been driven off by Indians, and followed the trail immediately after them; before sundown we came up to where they had killed a filly and two mares, the last one sweating yet. Night brought us in sight of them, but an awful thunderstorm hindered us from retaking the herd, and as bad luck had it one of our guns went off accidentally, which alarmed the Indians and they went off flying. Not having taken anything to eat with us we returned to camp and awaited assistance from the settlements. Our folks not arriving before Friday we could not start until Saturday the 12th, being then only seven of us and on foot. We followed the trail until Tuesday the 15th, near the Ojo del Espiritu Santo, where five of the party lost their courage and returned, leaving myself and an old man named Jose Miguel Muñis alone on the war path.

"Not thinking it prudent to follow the trail, we went over to the new government road on the Rio Puerco, and followed it up to New Fort Wingate, where we reported ourselves to Col. Evans, commanding the post, but were unable to get an escort. We then followed on to Fort Defiance and laid our claim before the Indian Agent, Major French, and on the same day, the 23rd, we had the good luck to find one of the animals stolen—a mule belonging to Jose Miguel Muñis, my companion. But this

country and westward to the Mormon settlements in south-eastern Utah.

The Navaho at large had raided the Mormons occasionally during the period of the Bosque Redondo exile, and after the return home, in November of 1869, those people were harassed again. The next month the agent called the chiefs into council, at which they promised to break up such expeditions of the younger men. The threat of loss of annuity goods was an additional incentive to their natural desire to avoid a repetition of the former drastic action of the government.<sup>21</sup>

But it wasn't always necessary for the *ladrones* to seek far distant fields,<sup>22</sup> and it was the losses experienced by the settlers in the Rio Grande, that old time scene of depredations, that led the citizens to resort to their retaliatory raids and the territorial government to exert its power. There was no law under which the governor could call out the militia, but Acting-Governor Heath recommended that the

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21. Brig. Gen. Erastus Snow to Capt. R. N. Fenton, 11/17/69, F205/69. Parker to Clinton, 11/29/69, LB 92, p. 479. Bennett to Clinton, 12/23/69, C788/69. Clinton to Parker, 1/17/70, C863/70.

22. Miller to Pope (Superintendent), 3/21/72: "I have the honor to state that the chiefs report to me that citizens of this Territory are grazing their sheep herds within a short distance of this reservation. I respectfully request that they be publicly notified of the great risk they are running by herding so near the Indian camps as the Indians being hungry, and I having no rations to issue them, it is a great inducement for them to steal, which they will certainly do before they will starve." *The Daily New Mexican*, 4/4/72.

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was all the agent could do for us; leaving thereby, after the three killed on the road, twenty eight horses and mules in possession of the Navajos. Saturday we turned homeward, and after eight days of hard travel arrived here on Saturday evening the 3d instant.

"The report of this depredation has been made to Hon. J. M. Gallegos, Superintendent of Indian affairs, but whether the government will ever give us any satisfaction, after proving by the mule we took from the Indians that the Navajos were the thieves, we have yet to find out. Col. Evans, at New Fort Wingate, the only post in the Navajo country, says that he has not a hundred men for service. Fort Defiance, the seat of the Indian Agent, is not protected to [at] all, and is entirely at the mercy of the Indians. Whose fault this is I cannot say, but think this state of things should be remedied. Here we are on the frontier, left on foot, without protection, and not even allowed to get up a party to chastise the Navajos who are at present scattered all over the country in marauding parties."

*The Daily New Mexican*, 7/16/69.



citizens arm themselves for self-protection and offered to supply a limited amount of guns. This action was followed by Governor Mitchell's issuance of a proclamation on August 2, 1869, that all Navaho off the reservation would be treated as outlaws and punished as common enemies where found unless accompanied by a military escort.<sup>23</sup>

The action of the governor did not meet with the approval of the federal officials. It was in conflict with the current arrangement of jurisdiction whereby the Indians on a reservation were under the control of the civil department and off the reservation under the military. Furthermore, it would have the effect of reviving the old practice of raiding the Navaho, ostensibly to recover stock but practically to secure additional plunder, and it was feared that such raids would eventually lead to a general out-break. Consequently, prompt action was taken to counteract the proclamation. Superintendent Clinton and General Getty consulted with the new governor, William A. Pile, who proceeded to ignore Mitchell's action as of no validity or effect. Pressure was also exerted at Washington and formal instructions to Pile to annul the action of his predecessor were issued from the state department.<sup>24</sup>

On the whole, it was believed by responsible officials that the Navaho were desirous of peace, but it was recognized that it was hard for a hungry man to refrain from stealing. It was doubly desirous, therefore, to keep them fed when the crops failed. For the next several years, occasional thefts occurred, and the citizens organized posses to recover the plunder. The military also acted at times for the same purpose, and the Navaho chiefs helped to end the practice. When the Indian leaders were able to recover the plunder, they turned it in at the agency.<sup>25</sup>

23. Heath to John T. Russell, 7/14/68, 40 Cong. 3 sess. Hse. Ex. Doc. 1, II, 639-40 (1366). New Mexico, *Executive Records*, 1867-82, p. 35.

24. Clinton to Parker, 8/26/69, C436/69. Parker to Clinton, 8/16/69, LB 92, p. 73.

25. "I am confident that . . . nothing short of starvation would induce them to commence hostilities of any kind. I also believe that most of the people of this Territory are waiting anxiously for, and would take advantage of any opportunity to get the Navajos into trouble." Bennett to Clinton, 12/16/69, C772/69.



To further the efforts to control the few troublesome members of the tribe, Superintendent Pope organized a body of Indian police in the summer of 1872. One hundred Navaho were selected from the thirteen bands and placed under command of Manuelito, subject to the orders of the agent. Their duties were to patrol the boundary and recover stolen stock. Paid from \$5.00 to \$7.00 a month, their worth was quickly proved and stealing decreased rapidly. As a result, Agent Hall recommended that they be disbanded, a move which was approved at Washington and carried out in August, 1873.<sup>26</sup>

With the return of material prosperity and the pressure upon the *ladrones* to cease their operations, the Navaho, within a decade after their return home, had lost their century old character of a menace to the white man's development of New Mexico. They were no longer to be feared because

They have too much at stake in their immense herds of sheep, goats, horses, and cattle, their hundreds of thousands of pounds of grain in the field and the cache, to hazard it in a war with a powerful nation. Since their experience as prisoners of war at Bosque Redondo they want no more war.<sup>27</sup>

But other problems still remained. The attainment of economic well-being and a reputation of pacifism had been accompanied by an increase in population, which made more apparent than ever the inadequacy of their reservation.

As noted above, the Navaho had not observed the boundary lines marked out in the treaty. On the western side,

26. Pope to Walker, 8/27/72, P117/72. Hall to Dudley, 12/16/72, D191/72 and 7/19/73, D405/73. Arny to Smith, 9/5/73, D647/73.

"The evidence is abundant that in every tribe the selection of a small number of Indians by the agent, to be instructed and disciplined by him as a constabulary force, would prove a safe and effective means of preserving order, and of assisting the tribe in enforcing among themselves their treaty obligations." B. I. C., *Annual Report*, 1874, p. 9.

27. Pyle to Commissioner, 8/3/78, 45 Cong. 3 sess. Hse. Ex. Doc. 1, IX, 605 (1850).

"Of the Navajoes it is hardly necessary to speak. They have passed out of the list of Indians hostile, or likely ever to be so." General Pope in *Weekly New Mexican*, 10/30/77.

they reoccupied the good grazing grounds of the Mesa Calabaza, some seventy miles beyond the true reservation. Furthermore, the meaning of "canyon" had caused trouble on that side because it was interpreted differently by the two parties to the treaty. Sherman had used the word in the sense of a narrow defile; the Indians, when the word was applied to the Canyon de Chelly, used it to include the wider area along the lower reaches of the Rio de Chelly. On the eastern side of the reservation they likewise wandered beyond the boundary line with their flocks, and the remnants of the Sandoval band, now under the command of Guero, reoccupied their old haunts near Cebolleta, northeast of Mt. Taylor.<sup>28</sup>

The first move to modify the original boundaries of the reservation was taken by Army in 1874. He badgered the Navaho into negotiating an agreement whereby they surrendered a strip of land along the northern side between the 37th parallel and a line running west from the junction of the San Juan River with the eastern boundary. In return for this cession they were to receive an equivalent strip along the southern side as far as the northern boundary of the Fort Wingate military reservation. Army was apparently more interested in opening the San Juan country to American settlement and mineral development than in promoting the program of the government of converting his charges into an agricultural people. He was willing to trade them a like amount of "grazing" land on the south for the northern part which was "worth more than all the rest of their reservation put together," guaranteeing at the same time that each family should have a homestead "(and as far as practicable, water for irrigation) as provided" in the Treaty of 1868.<sup>29</sup> However, the trade was not ratified by congress; one stumbling block was the right-of-way

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28. The reservation, as surveyed by Ed. S. Darling, contained 3,328,302 acres. John S. Wilson to Cox, 11/26/69, 1847/69.

29. Irvine to Commissioner, 10/1/76, in C. I. A., *Annual Report*, 1876, p. 110. Navajo Agreement, 3/7/74, O. I. A., New Mexico File, 1874. Army to Smith, January, 1874, A92/74 and D90/73.

of the Atlantic and Pacific Railroad Company. Army was then advised to examine the country along the eastern side of the reservation for a possible exchange.<sup>30</sup>

Three more proposals were advanced before any modification of the boundary was actually made. Army suggested extending it eastward to the 31st parallel (Washington) and westward to the 35th. Nothing came of this plan and the Navaho continued their plea for more land. Irvine recommended in 1878 that the western boundary be extended to include the lower reaches of the Canyon de Chelly, and that the agency be removed to the San Juan country in order to induce the Navaho to locate there. When General Sherman visited the reservation that same year, he recommended an extension to include all of the Canyon de Chelly. That was his intention in 1868, but he had not understood what the term "canyon" meant to the Indians. However, he was not in favor of granting them any unnecessary increase; although the additional area that the Navaho still wanted was considered practically worthless, he thought it better to have an Indian reservation too small than too large.<sup>31</sup>

The government acted immediately on the Sherman proposal and the western boundary was extended to the 110th meridian between 36° and 37° north latitude. This concession, however, only strengthened the desire of the Indians for more, and upon the recommendation of Agent Eastman and Inspector Hammond in 1879, the reservation was enlarged toward the east. The boundary was extended fifteen miles up the San Juan river, southward to a point six miles below the southeast corner of the reservation, thence westward to the 110th meridian. Some local opposition voiced through the territorial legislature was not heeded.<sup>32</sup>

30. Clum to Arny, 4/16/75, LB 124, p. 174.

31. Army to Smith, 7/24/75, A496/78. Irving to Smith, 4/13/76, I416/76, and 6/20/76, I673/76. Irvine, *Report*, 9/1/77, 45 Cong. 2 sess. Hse. Ex. Doc. 1, VIII, 554-55. Sherman to Secretary of War, 9/8/78, P843/78, and 9/9/78, W2023/78.

32. Kappler, I, 875. Hayt to Secretary of Interior, 12/17/79, RB 35, p. 610. Brooks to Secretary of Interior, 3/12/80, RB 36, p. 299.



The two remaining problems for the government to solve were education and the liquor evil. Very little was accomplished in regard to the first one, because it was very difficult to secure competent teachers or to establish schools for the widely scattered children. As for whiskey, the efforts of a particularly zealous agent to restrict this evil was apt to cause him much embarrassment. The decade opening with the return to the tribal range closed with Agent Eastman's relief from duty because of such an embroilment. "To sum up I can only say that the Navajo problem is like the whole Indian question; take whiskey out of it and governing them and civilizing them is an easy task."<sup>33</sup>

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33. Inspector John McNeil to Schurz, *Report*, 12/23/80, M2510/80. B. I. C., *Annual Report*, 1873, p. 176. L. B. Prince to President Hayes, 5/7/80, P673/80. Senator T. W. Ferry to Trowbridge, 6/28/80, F103/80.

Galen Eastman succeeded Pyle under appointment of 4/5/79.

CHAPTER V  
INDIANS AND POLITICS

The Indians in the northern part of the Territory that were of chief concern to the superintendent of Indian affairs in New Mexico were the Jicarilla Apache and several bands of Ute: the Wiminuche, Capote, Tabeguache, and Moache. The size of the bands was not known accurately, the estimates varying from 700 for the Jicarillas to 1,500 for the Capote. They did not constitute a serious menace like the Navaho, but their petty depredations and thieving were a chronic annoyance to the white settlers. When passing through the settled areas on the way to the agency, especially in the Chama valley, their horses sometimes invaded the corn fields and caused considerable damage. At other times an occasional sheep or cow was appropriated when the pangs of hunger were particularly pressing. And even a horse or two might be taken if the chance of a successful theft appeared particularly good. These practices were kept alive by the retaliations of the settlers. In fact, it was hard at times to determine which side was the more at fault.<sup>1</sup>

Contact with the settlements was rapidly demoralizing these bands. At the best they were an unprepossessing people, but the vices of the white man, particularly the use of liquor, was reducing them to an even worse state of primitive barbarism. The Jicarillas and Moache were more inclined to hang around the agency than the other bands that roamed farther afield for subsistence and love of the chase; consequently they were the worst sufferers. They procured whiskey from boot-leggers or from the Pueblo Indians who, legally privileged to buy it, acted as their go-between. A drunken Indian was a daily sight in the plaza of Taos.<sup>2</sup>

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1. Carson, *Annual Report*, 9/20/59, 36 Cong. 1 sess. Sen. Ex. Doc. 2, I, 710f (1023).

2. Carson, *Annual Report*, 8/29/60, 36 Cong. 2 sess. Sen. Ex. Doc. 1, I, 387ff (1078).

"I can assure my readers that no manager of Drury Lane ever produced three more hideous or unearthly witches than were these half-naked, withered old creatures, their faces striped with red and white paint, their matted grey hair hanging

As the decade of the eighteen fifties came to a close it was generally recognized that a reservation removed from the settlements was necessary for the salvation of these Indians, or their extermination would result. In addition to the vices acquired, they were further handicapped by the fact that the white man was gradually destroying the wild life on which they were so dependent. As a result, the government was forced to support them more and more, but the value of this aid was diminished by their increasing addiction to liquor. It was "asserted [by Collins] that two thirds of the articles given to them passed into the hands of the whiskey dealers, who infest the country, within three days after they were issued."<sup>3</sup> The necessity of concentration in a restricted area was intensified by the discovery of gold in the Pike's Peak region. Miners proceeded to penetrate farther and farther into the country of the Ute in search of the precious metals.

But their advent . . . inaugurated the era of civilization in a heretofore unbroken wilderness, and although the rights of the aborigines may seem to be encroached upon thereby, the apparent injustice of the act is but one of the inevitable contingencies of human progress, and must in the end prove beneficial to all.<sup>4</sup>

The advent of "civilization" increased the difficulties of managing the Indians,<sup>5</sup> and until such time as a reservation could be established certain measures were taken to improve their lot. The superintendent had already adopted the policy of requiring the agents to reside at the scene of

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3. C. I. A., *Annual Report*, 11/30/60, 36 Cong. 2 sess. Sen. Ex. Doc. 1, I, 243, 383 (1078).

Selling liquor to the Indians, except the Pueblos, was punishable by a fine of \$5 to \$200. Act of January 10, 1853, in *New Mexico, Revised Statutes*, 1865, p. 472.

4. Henry Villard, *The Past and Present of the Pike's Peak Gold Regions*, p. 141.

5. C. I. A., *Annual Report*, 11/26/59, RB 11, p. 276.

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from their huge heads over their sunken shoulders, their pendent shriveled breasts, and their scraggy arms; while their eyes brightened and their huge mouths grinned with excitement as they plunged their claws amongst the entrails of the sheep, and scrambled for the tit-bits." W. A. Bell, *New Tracks in North America*, p. 109 (second edition).



their labor, where they would be accessible to the reds and whites for the adjustment of any disputes that might arise. And to solve the pressing problem of drunken Indians at Taos, that agency was removed to the Cimarrón valley. These steps created disputes that led to the downfall of Collins, and, consequently, seriously impaired the possibility of success with the Carleton experiment on the Pecos. In the first place, the rule about residence raised a conflict with Diego Archuleta who was in charge of the Abiquiú agency.

Under instructions issued in 1857 Archuleta was required to live at the agency located in Abiquiú, or at a point above that settlement. Furthermore, he was advised to purchase food for his charges rather than articles of clothing that they might request and to issue supplies only at the agency. The superintendent believed that the supply of clothing issued during the summer was sufficient for their needs for the year; the other instructions were a part of his general policy. The agent disregarded all of these points, particularly the rule about residence because it was not convenient for him to live away from his farm, which lay between Abiquiú and Santa Fé.<sup>6</sup>

In order to improve the situation at Abiquiú, A. H. Pfeiffer was appointed special-agent in 1858 and assumed the real responsibility for the work of the agency. Archuleta, still in nominal control, was warned that any violation of instructions about issuing goods only at the agency would be reported to Washington. The firm stand of the superintendent was supported by the commissioner. Collins hesitated to discharge the agent because of the possibility of arousing prejudice among the Mexicans. Archuleta was the only Mexican in the federal service in New Mexico at that time.<sup>7</sup> The relations between the two grew less satisfactory. He was finally transferred to the Pueblo agency and then detailed to Fort Stanton in March, 1860, in charge

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6. Collins to Archuleta, 11/7/57, and Collins to Mix, 5/31/58, C630/50.

7. Collins to Archuleta, 7/21/58, C630/60, Collins to Denver, 2/13/59, C1930/59.

of the Mescalero Indians, because Agent Steck was fully occupied west of the Rio Grande with the Gila Apache.

Archuleta left Stanton after a short stay because of family matters at home. This move brought matters to a head and he was suspended on July 9, 1860, on the ground of inefficiency and insubordination. The commissioner requested that he be restored to the Abiquiú agency and that Pfeiffer be discharged as the best means for restoring harmony in the service. This the superintendent declined to do; since his commission under Buchanan was soon to expire, he determined to leave the issue to his successor.<sup>8</sup> However, he was reappointed in the spring of 1861, so Archuleta was left to nurse a grudge which found some comfort in the later ousting of the superintendent. The removal of Collins was given its initial start by the transfer of the Ute agency from Taos to the Cimarrón.

W. F. M. Arny was appointed Indian agent in May, 1861, and relieved Carson in charge of the Ute agency about August 1. He immediately took the initiative in trying to improve the lot of his charges, the Moache Ute and Jicarilla Apache. He advocated the current proposal of establishing them on a reservation removed from contact with the whites, but until that could be done the agency was located on the L. B. Maxwell ranch on the Cimarrón river to get away from the evil influences in the vicinity of Taos. About 100 families lived in the Cimarrón valley, a much fewer number than resided in the Taos valley. Both Collins and Carson (who was an influential citizen in the Taos valley) favored the move.<sup>9</sup> A violent opposition soon appeared in San Miguel and Mora counties under the leadership of S. B. Watrous, a rancher located at the junction of the Mora and Sapelló rivers.

8. Greenwood to Collins, 2/2/61, LB 65, p. 139. See also C630/60.

9. Arny to Dole, 8/2/62, A604/62. Arny to Dole, 1/6/62, A441/61. Arny *Annual Report*, 9/1/62, 37 Cong. 3 sess. Hse. Ex. Doc. 1, I, 386-90 (1156).

Carson later denied advising the removal: "P. S. It is possible that I may have advised to locate temporarily the agency at Maxwell's Ranch, but never have I recommended, to locate it at that place, permanently." Carson to Dole, 10/17/62, B112/63.

Upon taking charge at Taos, Arny had been immediately confronted with complaints from Watrous about the Indians stealing his cattle. The agent acknowledged that the complaint was quite common, but argued that the defendants were not entirely at fault. He pointed out that the owner entrusted the care of his herds to men at points remote from the ranch headquarters where they could kill cattle for their own use, sell some to others, and lay the blame on the Indians. The solution to the problem was to locate the Indians on a reservation. While they were roaming over several thousand miles of territory, it was impossible to keep close check on them and distinguish between Indian depredations and those committed by unscrupulous white men. The rancher next raised the issue with the superintendent. Collins pointed out that the proprietary rights of the Indians in the soil had never been extinguished by the government, that the Indians were natural thieves, and that the whites lived near them at their own risk. But he went a step further, adding fuel to the flames of controversy, by accusing the rancher of having been the boon companion of one Taylor who had recently fled the country because of a grand jury indictment for stealing cattle, and that the said Taylor was not the only thief in the locality of Mr. Watrous.<sup>10</sup> The rancher indignantly denied the charge and intemperate language was used by both parties, Mr. Collins referring to Mr. Watrous at one time as "a low dirty slanderer."<sup>11</sup>

The complaint against Collins for not protecting the cattle of the settlers from Indian depredations, a herculean task utterly beyond his means at the time, widened out into an aggressive movement for his removal. The attack was centered on the two political fronts in Washington and Santa Fé. Representatives E. P. Walton and H. P. Bennet endorsed the objections of Watrous to the new location of the Ute agency; it was in the heart of the grazing country

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10. Arny to S. B. Watrous, 10/11/61, C1409/61. Collins to Watrous, 10/26/61, C1409/61.

11. Collins to Watrous, 12/19/61, L69/63.



and too near the mail route from the East. The communications with the East were often endangered by the plains Indians, and this new menace should not be added. A direct protest from Bennet to Arny was met with the question, "Will you give us your aid to restrict these Indians to a specified Territory?"<sup>12</sup> About 350 residents of San Miguel and Mora counties signed a petition to Commissioner Dole, September 10, 1862, that the agency be not located at Cimarrón. They charged that it was not centrally located, as at Taos, but was on the eastern limit of the Apache range, where more stock grazed with fewer inhabitants to protect it, that it drew the Ute away from their own country, and that the move was made for the benefit of a few engaged in trade and interested in the disbursement of government funds. With the scarcity of game they claimed the Indians resorted to the cattle herds and that "up to the present time, the white man has had no rights, which the Indian has been made to respect. . . ." We hope "That we may no longer be hewers of wood, and drawers of water, for indolent, thieving, murderous Savages." We *demand* protection! "Shall it be refused us?" Sixteen members of the territorial legislature signed a similar petition.<sup>13</sup>

A petition for the removal of the superintendent, presented to the legislative assembly in 1861, was laid over until the next session on the ground of insufficient time to investigate the subject fully. But this friendly attitude did not appear in the next assembly, partly because of another issue that had been injected.

Under a territorial law of 1857, the public printer had been customarily elected in a joint meeting of the two houses. In 1861 the territorial secretary had attempted to control this piece of patronage; and as the secretary of the treasury at Washington had sustained the secretary of the territory, the decision precipitated an open conflict in 1862.<sup>14</sup>

12. Arny to Bennet, August, 1862, New Mexico File, 1862. Walton to Dole, 4/14/62, W566/62.

13. See B112/63.

14. Arny to Legislature, 12/5/62, Legislative Assembly, *House Journal*, 1863, p. 77, 107-109.

Army had been appointed secretary of the territory, July 31, 1862. On September 22 he became acting-governor because of the absence of Governor Connelly, who went east for surgical treatment.<sup>15</sup> Despite the election of Samuel Ellison as public printer in December, 1862, Army awarded the printing to Collins on the ground that the territorial law was in conflict with federal law and with the decision of the secretary of the treasury to whom the secretary of the territory was responsible. He had stated that he would make the award to some person who would execute it with economy "and in regard to whose loyalty there will be no doubt."<sup>16</sup>

The question of loyalty raised by Army was based on the failure of Collins to support the Lincoln administration through the columns of his paper, the *Santa Fé Weekly Gazette*, although he was loyal to the Union, having accompanied the federal army during the Texas invasion.<sup>17</sup> But the question of loyalty could be raised on both sides. In his controversy with Watrous, Collins had forwarded the correspondence to Washington. He next accused the rancher of being politically allied with a leader of the rebellion against the Americans after the occupation of New Mexico by Colonel Kearny. That man was Diego Archuleta, who now occupied the strategic position of chairman of the committee on Indian affairs in the territorial house of representatives. He further chided Watrous for not seeking an understanding and possible reconciliation with him long before instead of attacking him through the agency of his political opponent.<sup>18</sup> These moves roused the ire of the rancher to fever pitch.

Watrous now took steps to vindicate his character by securing testimonials from prominent leaders in territorial politics. The old charge of association with Taylor rankled in his mind; the accusation was of doubtful validity, but the personal controversy had long passed into the wider ques-

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15. New Mexico, *Executive Records*, 1851-1867, p. 299, 304.

16. *House Journal*, 1863, p. 102, 96.

17. Charles Lieb to J. P. Usher, 2/22/63, L69/63. See also C580/60.

18. Watrous to Collins, 1/13/63, and Collins to Watrous, 1/16/63, W52/63.

tion of the removal of the superintendent. The rancher defended Archuleta on the ground that he had been pardoned for his attempted treason. The suggested possibility that a reconciliation might have been patched up was dismissed with contempt: "Fortunately, I have not repented the Treason, of defending my own rights, and that of the people, which you have so long trampled under foot, and from the insight I have obtained of your real character, I do not aspire to the honor of your friendship. . . ." <sup>19</sup>

The house of representatives initiated on January 10, 1863, a joint resolution for the investigation of the official conduct of Collins. The council concurred, but Governor Army blocked the investigation on the ground that a memorial to congress was the proper procedure. The memorial, addressed to the President of the United States, was passed and the following charges made: (1) the people have become impoverished because of his mismanagement and inaction; (2) he has been unfaithful to the government by erecting a building with Indian bureau funds and charging a large rent for its use as headquarters for the superintendency, by depositing a note in lieu of money with the receiver of the land office, by securing vouchers and blank receipts for Indian money without having made purchase, and by permitting his grandson to sell some government cloth. <sup>20</sup>

Although Collins would have welcomed an investigation on his home ground, he was now forced to carry the battle to Washington. There his opponent pressed the attack vigorously. Watrous wrote to the secretary of the interior:

A man who will slander another, in the sneaking way he has done me, will do anything. I believe such a man will steal, without hesitation, and it was this belief, that induced me to urge on the Legislature an investigation of his conduct, as the only means by which his rascality could be brought to light, and the country be relieved from the in-

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19. Watrous to Collins, 1/20/63, W52/63.

20. *House Journal*, 1863, p. 127, 132, 137, 147, 157. Also S58/63 and W42/63.



jury he is inflicting upon it. They (the people) are now thoroughly aroused to a sense of their condition, and are determined that their rights shall no longer be trampled under foot by unprincipled demagogues, like Supt. Collins, Watts [Territorial Delegate], and Army.

The interests of the Territory require, that this nest of unprincipled Harpies, should be cleared out, and good honest officers *from the states*, be appointed in their stead, who are entirely unconnected with the old rotten stock of Politicians out here.

The people feel confident, that the Watts policy of sustaining secess. sympathizers in office, to save the Union, is played completely out, and Watts, its Advocate, is played out with it. He is politically dead, dead, dead, in this Territory.<sup>21</sup>

With the weight of the legislature behind the charges, the commissioner of Indian affairs accorded them more consideration than he would have done if preferred only by private parties. He recommended to the secretary of the interior that an investigation be made if the distance was not too great to cause an unwarrantable delay, in which case more prompt action should be taken. Apparently the distance was too great because Collins was removed from office in May, with the possibility of being reinstated if the charges were later disproved. But New Mexico was a distant region, and an investigation would be an unwanted expense. The financial accounts of the superintendency were thrown into confusion by the order to suspend payment on all outstanding drafts, and a claim of Collins for house rent was disallowed. The outstanding obligations of the superintendency were eventually found valid and paid, but as to reinstatement in office, the commissioner remarked: "I can only say further that if Col. Collins had not been removed, I should not, with the evidence now before me,

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21. 1/30/63, W52/63.

recommend his removal.<sup>22</sup> Thus an able superintendent was removed from office on insufficient grounds. The grievance of the people at the inadequate governmental control of the Indians had found an outlet in the interplay of party politics.

While the quarrels of the superintendent were working toward an end, the condition of the Indians was one of increasing difficulty and dependence upon the government. The Navaho war and hostilities with the plains tribes barred the Ute from their customary hunting grounds. As a result, they remained closer to the agencies and indulged in more petty thieving. This irritating practice was carried on more from necessity than desire; although they had a natural tendency to pilfer, they were friendly in a formal way with the whites. And as they were barred from the buffalo herds, and the mountain wild life decreased, the limited funds of the superintendent became more and more inadequate to meet the need for food. To impress the Washington authorities with the state of affairs, the situation was summed up in the statement, "They will steal rather than starve."<sup>23</sup> When this statement is compared with the one that typified the Navaho problem, namely, "you can feed them cheaper than you can fight them," the main difference between the two problems is presented: numerous campaigns against the New Mexico Ute never occurred.

But though the Ute remaining close to the settlements in northern New Mexico were addicted to nothing worse than stealing, their brethren farther north were not too friendly to the intruding miners. When the southern Ute wandered northward in the spring of 1859, Carson was ordered to follow after to prevent trouble. Despite such

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22. Dole to Usher, 4/25/63, RB 13, p. 163. Usher to Dole, 4/28/63, I157/63. Dole to Usher, 7/25/63, RB 13, p. 207.

Collins, later in charge of the U. S. Depository at Santa Fé, was murdered June 5, 1869, when an attempt was made to steal the government funds. *Executive Records*, 1867-82, p. 34.

23. Manzanares to Steck, 9/23/63, 38 Cong. 1 sess. Hse. Ex. Doc. 1, III, 231, (1182). Army to Carleton, 10/25/62, A674/62.

precaution a small party of miners was killed that year.<sup>24</sup> The same possibility of trouble rapidly extended over a wide area as the mining frontier advanced into the San Juan country. The Capote and Wiminuche might tolerate prospecting and actual mining operation, but they disliked the permanent settlement that seemed to be a corollary to the search for gold. The Indians carried their complaints to the agent at Abiquiú and the superintendent relayed them to Washington. The ultimate outcome of the rapidly developing problem was not hard to forecast. Indian country was no more sacrosanct in the Rocky Mountain area than it had been elsewhere. In two letters written in 1861, Collins presented the facts and drew the conclusion: in January he wrote,

If the discovery of gold on the San Juan proves a success some arrangement should be made with those Indians for their country which will certainly be taken away from them. The country is a valuable one, and they should be paid for it. But this will be a question for the new administration,

and four months later, he said that they should be paid for their country if it is to be taken "of which there is now no longer a doubt."<sup>25</sup>

Several steps were early adopted by the government for the better management of the southern Ute. With the creation of Colorado Territory, a new agency was established on the Conejos and the Tabeguache were transferred there from the Taos agency in 1861. Three years later, on the recommendation of Steck and Governor John Evans of Colorado, the Moache were ordered to join their brethren. In the San Juan country, eighty signatures were secured to a petition for the transfer of the Abiquiú agency to Baker City on the Rio de las Animas, a request that was not granted; however, Pfeiffer was sent there temporarily as a

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24. Collins to Mix, 5/7/59, C2073/59. Collins to Greenwood, 10/16/59, C197/59.

25. Collins to Greenwood, 1/27/61, C934/61. Collins to Commissioner, 4/7/61, C1034/61.



special agent in the spring of 1861, his place at Abiquiú being taken by Manzanares.<sup>26</sup>

The next measure taken was the establishment of a reservation in the San Luís valley in southern Colorado by agreement, October 7, 1863, with the Tabeguache. The boundaries of the restricted area were as follows: beginning at the mouth of the Uncompahgre river, thence down the Gunnison to the Bunkara river, up that stream to Roaring Fork, thence to the source, from there along the summit of the Arkansas-Gunnison divide to the intersection with the San Luís Valley-Gunnison fork of the Great Colorado, along the divide to the source of the Uncompahgre, down that river to its mouth.

The reservation was open to mining, military posts, highways, and railroads. Goods and provisions were granted for ten years at an annual cost of \$20,000. If stolen property was not returned, the victims could be compensated from the annuity goods. The government agreed to furnish five American stallions to improve the Indian stock, 150 head of cattle annually for five years, 1,000 sheep annually for two years, and 500 annually for the next three years, and one blacksmith. The Moache were permitted to settle on the same reservation (if and when they would). And the treaty was operative when the chiefs announced to the agents their willingness to settle down to farming and stock raising.<sup>27</sup>

The Indians South West of them [southwest of the Tabeguache] were present by their agents and representatives at the treaty and conceded the full right of said Tabeguache band to the country described & claimed by them as set forth in the treaty.<sup>28</sup>

With the initial step taken in the application of the reservation policy to the southern Ute, the final realization of that aim was only attained after considerable delay,

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26. Usher to Dole, 2/1/64, 1421/64. Steek to Dole 12/11/63, S215/63. For petition see C1215/61, and Dole to Collins, 5/14/61, LB 65, p. 452.

27. Kappler, II, 856-58.

28. Evans to Dole, January, 1864, Colo. 622/64.

friction, and irritation between the Indians, settlers, and representatives of the government. The first difficulty was to convince the Moache that they must transfer their allegiance from the Cimarrón agency to the Conejos, and the next problem was to persuade the Capote and Wiminuche to accept an agency on a Ute reservation in southwestern Colorado. Many proposals were advanced for a location of the Jicarillas, but they were just as intractable as the Ute.

TROUBLOUS TIMES IN NEW MEXICO  
1659-1670

(Continued)

By FRANCE V. SCHOLES

CHAPTER V

GOVERNOR DIEGO DE PEÑALOSA <sup>1</sup>

I

DIEGO DIONISIO DE PEÑALOSA BRICEÑO Y BERDUGO was born in Lima in 1621 or 1622.<sup>2</sup> He was a member of a family of some local prominence.<sup>3</sup> His early years were spent in Lima and La Paz where he received instruction in grammar, rhetoric, and kindred subjects. His public career began in La Paz where his father purchased for him the office of *regidor*. At the age of eighteen he was elected *procurador general* to represent the *cabildo* of La Paz in certain legal business before the *Audiencia* of Charcas. During his stay in La Plata he became involved in a fray in the plaza and killed a man, and as the result of this incident he was obliged to return to La Paz. In 1641 he married Doña María Ramírez de Vargas, by whom he had two children prior to her death in 1644. In 1645 he was married in Cuzco to Doña Jacoba de los Ríos y Cabrera. The only issue of this second union was an infant who died soon after birth.<sup>4</sup>

After a brief period devoted to private and public business, Peñalosa was appointed *alcalde provincial* of the *Santa Hermandad* for the district of La Paz. As the result of complaints received concerning his private and official conduct he was summoned to Lima by Viceroy Salvatierra. After consulting certain influential friends in the capital, including his relative, Don Dionisio Pérez Manrique de Lara, president of New Granada, he presented himself at the viceregal palace. The viceroy was unfriendly, and he finally gave orders for Peñalosa to be taken into custody.



But Peñalosa hastily withdrew from the audience chamber and fled to the Augustinian convent where he had friends. Early next day he took refuge in the Augustinian college of San Ildefonso where he remained for three months. This incident occurred in 1651 or 1652.<sup>5</sup>

Peñalosa's family took counsel with various friends and relatives, and it was decided that he should go to Spain and present an appeal to the king. Inasmuch as the viceroy had issued orders forbidding Peñalosa's departure, it was necessary to bribe the captain of a small vessel bound for Panamá to take him on board. Off the port of Paita the vessel was wrecked, but Peñalosa, with several other passengers, escaped and made port, where he finally took another ship for Panamá. Instead of continuing his journey to Spain, he went to Nicaragua where he lived for six months with his uncle, Bishop Briceño. From Nicaragua he finally journeyed to Mexico City.<sup>6</sup>

In Mexico Peñalosa received military assignments from time to time during the early years of the administration of the viceroy, Duque de Albuquerque. After an illness in Veracruz, he spent a year in Habana where he served as captain of infantry in the garrison. Returning to Mexico City he was appointed *alcalde mayor* of Xiquilpa and Chilchota and lieutenant-captain general for the viceroy in these areas. After three years in this service he returned to Mexico City where, after a brief interval, he was named governor of the province of New Mexico by the new viceroy, Conde de Baños. The appointment to the governorship of New Mexico was made in 1660.<sup>7</sup>

## II

Peñalosa took office in Santa Fé about the middle of August, 1661.<sup>8</sup> The colonists and soldiers whom López had antagonized and sorely offended during his two-year term of office naturally regarded the change of administration as an opportunity to seek redress, if not revenge, for alleged injustice, and to regain power and influence in provincial

affairs. And Peñalosa shrewdly exploited the hatred for the ex-governor to build up a faction favorable to his own personal interests.

Capt. Diego de Trujillo, who had left the province as the result of differences with Governor López, met Peñalosa in Parral and returned with him to New Mexico. Soon thereafter he was re-appointed to the office of *alcalde mayor* of the Zuñi-Hopi area from which he had been removed by order of López. Miguel de Noriega, who had quarreled with López after having served as his secretary for about a year, met the new governor in El Paso and immediately solicited his favor and friendship. Juan Lucero de Godoy, who had reluctantly served as one of the two messengers sent to New Spain by López in the autumn of 1660, became Peñalosa's administrative secretary. To the post of lieutenant-captain general Peñalosa appointed Pedro de Valdez, whom López regarded as one of his capital enemies.<sup>9</sup> It is worth noting too that Valdez was a nephew of the former governor, Juan Manso. And when new *cabildo* elections were held in Santa Fé, members of the anti-López party obtained office. One of the new *alcaldes ordinarios* was Sargento Mayor Diego del Castillo, against whom López had brought legal action on various charges.

The clergy received the new governor with open arms,<sup>10</sup> and for several months the relations of Church and State were once more harmonious. Indeed, there is some evidence that Peñalosa and Custodian Posada worked in close coöperation during the period when López' *residencia* was in progress. Moreover, on November 4, 1661, on petition by Friar García de San Francisco, Peñalosa gave orders for the execution of the decree of Governor Guzmán, June 30, 1648, which had granted to each convent the service of ten Indians, as interpreter, sacristan, *portero*, organist, shepherd, etc., the same to be exempted from tribute in lieu of service.<sup>11</sup> To this extent, at least, the labor policy of López was abandoned.

The first important task of the new governor was to take the *residencia* of his predecessor. The investigation was started in the autumn and lasted until sometime in December. In testimony before the Holy Office both López and his wife made the charge that the clergy took an active part in directing the *residencia*, that Custodian Posada even drew up the questionnaire for the examination of witnesses.<sup>12</sup> Whether these charges were true or false, it is clear that the friars, as the colonists and soldiers, took full advantage of the *residencia* to air their grievances and to file formal charges against the ex-governor.

The manuscript record of the *residencia* contains more than seventy formal petitions of complaint.<sup>13</sup> Friar García de San Francisco, under appointment as *procurador* of the clergy, filed a long list of charges in the name of the friars. Antonio González, acting as defender of the Indians, presented thirty-four petitions on behalf of the pueblos or of individual Indians. The *procurador general* of the *cabildo* of Santa Fé, Capt. Diego González Bernal, submitted a long bill of complaint in the name of the Hispanic colony as a whole. Finally, more than thirty petitions were presented by individual colonists and soldiers.

The charges presented by Friar García de San Francisco in the name of the clergy may be divided into two groups. The first group included the most important complaints concerning López' opposition to the mission program, his violation of ecclesiastical immunity, and the alleged denial of all ecclesiastical jurisdiction and authority. These have already been described in detail in Chapter III. The second group contained a detailed statement of the losses in live stock—sheep, cattle, and oxen—suffered by various missions as a result of López' refusal to permit the service of Indians without pay as farmers and herdsmen. The following list is a summary statement of the losses said to have been sustained.



Convent of Santo Domingo	1378	head
"    " San Felipe	343	"
"    " Galisteo	100	"
Convents of Chililí and Tajique	1350	"
Convent of Cuarac	400	"
Convents of Abó and Jumanos	1347	"
Convent of San Marcos	798	"
"    " Santa Fé	800	"
"    " Sandía	801	"
"    " Sía	350	"
"    " Santa Ana	250	"
"    " Isleta	400	"
Total losses		8317 head

In addition to the livestock, the convents had also suffered heavy losses in maize because of the lack of Indians to till the mission fields. Thus Friar García de San Francisco's statement clearly indicates the large scale farming and herding business carried on by the clergy.

In his reply López asserted that the friar's petition contained many falsehoods. It was mere libel! He also raised the issue whether Friar García de San Francisco, being an ecclesiastic, could in law bring a suit of this kind. And inasmuch as reports concerning the problems of Church-State relations had already been sent to New Spain, final decision should be made by the viceroy and *audiencia*.

The petitions presented by Antonio González on behalf of the Indians were in the form of claims of various kinds. Most of the claims were for payment of sums due on account of services rendered: for labor performed in transporting salt from the salt marshes east of the Manzano Range to depots on the Río Grande, gathering piñon, building carts, washing hides, tanning leather, painting leather hangings, etc.; for the manufacture of *mantas*, stockings, shirts, shoes, and leather doublets; or for service in connection with the dispatch of accumulated stocks of goods to Parral and Sonora. (For a more detailed statement, see Chapter III,

section III.) A few petitions were made for payment for property sold to López or alleged to have been seized by him. The claims varied in amount from two pesos to more than three hundred pesos. The grand total was more than 2900 pesos.

López asserted that some of these claims were sheer fabrication and denied having employed the persons named in the complaints. Others were said to be gross exaggerations. In certain cases he insisted that payment had already been made and that he held the receipts. He stated that he was ready, however, to make an equitable settlement of all just claims, and asked to have the Indians present such claims in person.

The most important charges made by Capt. Diego González Bernal in the name of the Hispanic colony as a whole are summarized below.

(1) Complaint was made that even before López arrived in Santa Fé he took measures to prepare a dispatch of wagons and salt to Parral, forcing the citizens to loan ox-teams that were never returned.

(2) After taking office López was guilty of arbitrary and unjust actions, sending the citizens on escort duty "without any cause whatever."

(3) As a result of the order promulgated by López increasing wages for Indian labor from half a *real* to one *real* a day plus food "the entire kingdom suffered great hunger," inasmuch as the citizens could not afford to pay the new wage for Indians farmers and herdsmen. To obtain even a meager sustenance, women, girls, and even young children were forced to till the fields. The motive of the governor was purely selfish, for he wished to use Indian labor for himself in the preparation and manufacture of goods for export.

(4) Although the *Casa de Cabildo* needed repairing and rebuilding, López refused to lend any aid.

(5) Although there had been a custom of long standing to parade the royal ensign once each year, with proper ceremony and festivities, it had not been done during López' term of office.

(6) Having promulgated an order of Viceroy Alburquerque prohibiting further discussion of certain past events (the Rosas affair), López violated the order, calling many citizens traitors and other insulting names.

(7) Because certain women did not wish to embroider doublets and shirts for his account, López called them whores, and threatened to give them two hundred lashes and to make a prison in the *Casa Real* in which to keep them spinning and embroidering.

(8) López intensified the hostility of the Apaches by acts of treachery. For example, certain Apache warriors were permitted to come in peace to Jémez, only to be cut down and killed by the governor's order. An expedition was then sent out immediately to seize the women and children who had been left behind.

López characterized these charges as deliberately false and lacking the proof required by law. He also questioned the status of Capt. González Bernal as *procurador general*, and charged that the petition was an evidence of conspiracy on the part of his enemies. As in the case of most of the other petitions of complaint, he entered an appeal to the authorities of New Spain.

The petitions filed by colonists and soldiers covered a wide range of subjects: (1) disputes over property and business operations; (2) complaints concerning *encomienda* administration; (3) complaints concerning appointments to local office; (4) losses alleged to have been sustained by soldiers during the performance of military service; (5) abuse of authority by the governor in the conduct of official business, especially in certain judicial actions against soldiers and colonists; (6) arbitrary and outrageous conduct on the part of the governor in his personal relations with



citizens of the province. It is not possible to describe the several petitions in detail. In Chapter III, section II, we have already discussed some of the causes for complaint. López offered a vigorous defense against many of the complaints. He made counter-charges which, if true, must have turned the tables on the plaintiffs. Other charges he denied as utterly false and malicious. In certain instances, however, he either refused to make a formal reply, appealing the charge to the viceroy and *audiencia*, or raised technical legal objections clearly designed to block action or to avoid the necessity for reply to the original charges. And in most cases he entered an appeal to the authorities of New Spain. Many of the accusations were clearly inspired by a desire for revenge, or by personal resentment caused by loss of office and local prestige. In all parts of the Indies the *residencia* provided an opportunity for disgruntled individuals, unsuccessful applicants for office, and restless, discontented spirits to attack the honor and character of officials whose term of office had come to an end. Moreover, if an official attacked or infringed upon local vested interests, he was certain to be submitted to a torrent of abuse and complaint during his *residencia*. The case of López is no exception. On the other hand, it is clear that many of the charges against López were true. Moreover, he had aroused opposition on all sides by policies that were neither expedient nor wise.

The *residencia* had been in progress only a short time when the usual rumor was spread abroad that López planned to flee from the province. On October 21, 1661, Capt. Diego González Bernal, *regidor* and *procurador general* of Santa Fé, presented a formal petition demanding that López be arrested and imprisoned in order to prevent his escape and to make sure that full satisfaction for all claims and complaints would be made. Governor Peñalosa acceded to this demand. He ordered López to be held under guard in the dwelling he then occupied, and instructed one of the *alcaldes ordinarios* to appoint four citizens to serve as guards, with

a salary of one peso each per day, the cost to be paid by López.

The motives given by Peñalosa for this decision are interesting. He stated that the feeling against López was running so high that there was danger of disorder. He had used his authority in an effort to quiet the situation, and had even taken measures to send some of the leaders of the anti-López faction away from Santa Fé. But in view of the fact that the malcontents were so inter-related (*muy emparentados*) and that the bitterness against López was so general, he deemed it wise to take appropriate action to avoid further trouble, remembering the fate of Don Luís de Rosas. Moreover, it was necessary to take into consideration the fact that the *residencia* had given rise to so much litigation. Therefore, as a precaution to protect López from violence and to avoid the risk of his fleeing to New Spain, Peñalosa issued the formal order of arrest and detention under guard. López naturally protested against this action. He regarded it as merely another sign of Peñalosa's hostility and as a means by which the new governor could serve his own interests.

It is perfectly clear that Peñalosa's motives were by no means altruistic. He was a mere adventurer, with an eye for the main chance. He realized that López possessed large stocks of goods accumulated for export, herds of livestock, and property of other kinds. The *residencia* offered him an opportunity to feather his own nest at López' expense. It was to his own personal interest, therefore, to appease the clergy and other members of the anti-López faction, and bide his time.

During the course of the *residencia* Peñalosa maintained contact with the ex-governor. He made overtures for a deal that would be mutually profitable, and finally made a definite offer. According to López, it was proposed that in return for a bribe of ten thousand pesos Peñalosa would destroy the record and permit the ex-governor to write the *residencia* in his own terms. But López rejected

the offer, and declared that he would see the investigation through, relying on the action of the viceroy and *audiencia* for vindication.<sup>14</sup>

About the middle of December the *residencia* was brought to a close. Acting as judge of *residencia*, Peñalosa prepared an indictment consisting of thirty-three charges, based on the accumulated testimony and petitions of complaint. The governor had no authority, however, to render a final decision, such authority being reserved to the *audiencia*. Late in December the list of charges and a copy of the record were sent to Mexico City by special messenger.

In a *real provisión* dated May 12, 1662, the president and *oidores* of the *audiencia* rendered their decision. López was absolved on the following charges:

(1) That he had exercised authority before he had been formally received in office. (This charge was based, in part at least, on López' action in making use of Indian labor (prior to his arrival in Santa Fé) in preparation of the dispatch of wagons and salt to Parral.

(2) That he had imprisoned certain persons in rooms in his dwelling and had made private prisons there with stocks, fetters, etc.

(4) That he had unjustly increased the rate of wages for Indian labor, thereby causing great need and hardship in the colony.

(5) That he had unjustly deprived certain citizens of *encomiendas*. (Cf. Chapter III, section II.)

(8, 9) That he had failed to punish certain delinquents, especially certain persons guilty of homicide (notably Capt. Nicolás de Aguilar) who had fled from New Spain to New Mexico, having pardoned them on the occasion of the birth of a royal prince.

(10) That he had submitted an exempt person to public shame by ordering him to give a *manta* to an Indian woman who had accused the said person. (This referred



clearly to the case of Friar Francisco de Acebedo, guardian of Alamillo. See Chapter III, section IV.)

(12) That he had given permission for the public celebration of the *catzinas*. (The *audiencia* stated that the friars should report concerning the character of these dances.)

(13, 14) That he had failed in his obligation to promote Christianity among the Indians by forbidding the friars to enforce attendance at religious services, by prohibiting the service of *cantores* and sacristans, by abusive language against the friars, and by the remark that neither St. Peter nor St. Paul would render justice as well as he.

(15) That he had endangered the safety of the powder held for military purposes by transferring it from the room where it had been usually kept to an unsafe place in the *Casa Real*.

(21) That he had failed to repair the local prison and the *casa de cabildo*, and that he had not permitted the customary procession in honor of the royal ensign.

(24) That he had fixed the price of grain, and had then sold grain through the agency of the *alcaldes mayores* at higher prices, as a result of which the province had suffered great need.

(25) That he had sold the office of lieutenant-captain general of the Sandía area to Juan Domínguez de Mendoza for three hundred pesos.

(28) That he had failed to visit certain areas, such as Taos, Picurís, Acoma, and the Tewa pueblos, being under obligation to do so in person, or at least to send a visitor if the case was urgent.

(31) That in order to authorize reports in his favor to be sent to the viceroy and *audiencia*, the same attested by forged signatures, he had sought to obtain possession of the seal of the *cabildo*.

(32) That in the interest of selling certain captives (Apaches?) he had compelled the *cabildo* of Santa Fé and

certain citizens to make petitions and reports to the viceroy, in certain cases writing out a draft for them to sign.

On the following charges the *audiencia* pronounced López guilty :

(3) That instead of honoring the subjects of His Majesty, especially the *encomenderos*, he had abused them with insulting speech, especially Capt. Diego de Trujillo, his son, Francisco de Trujillo, and his son-in-law; and that he had unjustly wished to inflict punishment of two hundred lashes on Sargento Mayor Diego del Castillo.<sup>15</sup>

(6) That from the time he entered the province, even before taking office, he had employed the Indians in all manner of enterprise without making full payment for their labor. (It was ordered that he should make full settlement for all balances justly due.)

(7) That he had accepted a bribe from former governor Juan Manso during the latter's *residencia*, the said bribe being in the form of a gift to Doña Teresa de Aguilera, the wife of López. (Fine of three hundred pesos was imposed for this offense.)

(11) That instead of having honored and favored the *cabildo* of Santa Fé, he had said, among other things, that the *cabildo*, his negress, and his mule were all the same thing.

(16) That he had accepted a bribe of two hundred pesos, in return for which he had not executed a sentence of whipping in the case of a certain Diego González Opodaca, who had been found guilty of incest with three step-daughters. (He was ordered to repay the said bribe and to pay a fine in the same amount.)

(17) That he had used disrespectful language concerning certain *oidores* of the *real audiencia* and also concerning the viceroy, Duque de Alburquerque.

(18) That in violation of terms of peace with certain Apaches who had come to live at Taos and Jémez, he had

ordered the males killed, and their women and children seized in order to sell them as servants.

(19) That after orders had been received forbidding the sale of captives, he had then taken no action to punish Apache invasions.

(20) That without consideration for sacerdotal dignity he had given orders depriving the convents of Indian herdsmen and servants to bring in wood, that he had taken delight in the fact that certain friars, especially Velasco, Freitas, and Parraga, had been obliged to fetch their own wood and herd their livestock, and that as a result of this policy the convents had suffered great losses in livestock. (With regard to the losses sustained, the friars were authorized to present claims before the *audiencia*.)

(22) That he had disturbed the tranquillity of the province by impeding the jurisdiction of the prelate; and that he had ordered his lieutenants to proceed against exempt persons (the friars) on charges of concubinage, as a result of which both the friars and certain married women had been defamed.

(23) That he had abused his authority in the administration of justice by summoning women for examination in certain judicial cases and then forcing them to submit to improper relations, thus causing great scandal.

(26) That he had borrowed oxen from various citizens and had not returned them.

(27) That he was liable for re-payment of one hundred pesos' worth of lead that he had received for use in New Mexico and had not actually taken to the province.

(29) That he had oppressed the *encomenderos* by preventing them from collecting the tribute due from their *encomiendas*, and by ordering his *alcaldes mayores* to make the collections in order to obtain payment for balances due on account of goods sold by him to the said *encomenderos*.

(30) That a certain Joseph Telles Jirón had been unjustly exiled to Taos because he refused to make a false



statement in López' behalf in reports remitted to the viceroy, and that Capt. Bartolomé Romero, *alcalde ordinario* of Santa Fé, had been sent on escort duty for the same reason.

(33) That "with scandal and little fear of God or law," he had oppressed both ecclesiastics and laymen.

The *audiencia* declared that López should be ineligible for office for a period of eight years, and that he should be fined 3000 silver pesos and costs. The claims made against him during the *residencia* should be followed up, substantiated, and decided by his judge of *residencia*, except that the claims presented by the friars should be referred to the authorities in Mexico City. After having fulfilled the terms of the sentence, or having given bond for the same, López should then be set free and permitted to return to Mexico City. A copy of the sentence should be sent to Peñalosa with orders to obey the same under penalty of two hundred gold pesos.

Diego González Lobón, who had brought the *residencia* proceedings to Mexico City, was sent back in all haste with a copy of the sentence. He arrived in Santa Fé early in August, 1662.

### III

The sentence by the *audiencia* deserves some comment.

López' action in restoring *encomiendas* to persons who had been deprived of their grants by Governor Manso was approved, as well as his decisions with regard to other *encomienda* appointments. His policy concerning wages for Indian labor was also sustained, although he was ordered to make full payment for all labor performed for his own account. On these points the *audiencia* took a firm stand in behalf of the governor as against certain colonists of prominence and against the vested interests of the Hispanic colony as a whole. On the other hand, the arbitrary action of López in the collection of tribute from certain *encomiendas* in order to satisfy private debts owed to him by the holders of the said *encomiendas*, the nature of his

conduct with regard to certain prominent citizens, the acceptance of bribes, and the flagrant abuse of authority in the case of women summoned to testify in judicial cases received formal condemnation. Moreover, the *audiencia* did not fail to censure him for disrespectful language concerning the viceroy, certain *oidores*, and the *cabildo* of Santa Fé.

On three important points the clergy scored a victory. First, the *audiencia* upheld the general ecclesiastical jurisdiction of the custodian, although there is no record that a formal pronouncement was made concerning all issues raised by López in the summer of 1660. (See Chapter III, section IV.) Second, by finding López guilty on the charge that he and his subordinates had proceeded against the clergy in certain cases of alleged immoral conduct, the *audiencia* took a firm stand in favor of ecclesiastical immunity and privilege. Third, López' policy forbidding the employment of Indian herdsmen and laborers by the convents without pay was condemned.

But the views of the friars on two important aspects of general mission policy were not sustained. The *audiencia* found López innocent on the charge that he had impeded the mission program by his refusal to support the friars in enforcing attendance at religious services and by his policy regarding the service of *cantores* and sacristans. And even more important was the decision with regard to the *catzinas*. Instead of censuring López for permitting public celebration of the dances, the *audiencia* put the burden of proof concerning the alleged superstitious character of the ceremonials on the clergy. The *audiencia* had at hand not only the statements on this point presented during the *residencia*, but also letters and memorials from the friars emphasizing the harm resulting from the celebration of the dances. Thus the decision of the *audiencia* represented a determination to proceed with caution on this moot question.

The decision of the *audiencia* upholding the general principles of ecclesiastical privilege and jurisdiction is not

surprising. But it is interesting to see that the *audiencia* took such a liberal stand with regard to mission discipline and the *catzina* question, while condemning López' policy regarding the employment of Indian laborers by the convents. The *catzina* question was of supreme importance, inasmuch as it involved the larger issue of paganism vs. Christianization. Idolatry was forbidden by colonial law, and in times past drastic action had been taken to stamp out the practice of aboriginal religious customs. The ceremonial dances were the most important feature of the Pueblo cults, and it is surprising, therefore, to find the *audiencia* putting the burden of proof regarding their superstitious character on the clergy. Moreover, the decision on this point has greater significance if we recall that the later Pueblo Rebellion of 1680 was largely inspired by a desire on the part of the Indians to preserve the old folk ways.

The terms of the general sentence imposed as penalty for López' misconduct were fairly severe. Although it was not an uncommon practice to declare persons ineligible for office for a term of years as the result of an unfavorable *residencia*, such a penalty naturally laid serious handicaps on an ambitious official. The fine of 3000 pesos, equal to the governor's salary for a year and a half, was also a fairly heavy penalty.

Finally, it should be noted that the *audiencia* pronounced its decision without hearing López' case, except insofar as he offered a defense in his replies to the several petitions of complaint presented during the hearings in Santa Fé. That Peñalosa and his aides carried on the investigation in a rather arbitrary manner is fairly clear. Moreover, the new governor prevented López from sending messengers to New Spain for several months. López finally found a way to get representations to the viceregal authorities, as a result of which the *audiencia* immediately dispatched orders relieving Peñalosa from further jurisdiction in the case, but by the time these orders were received in New Mexico, Peñalosa had already taken action to execute



the sentence of May 12, 1662, and in a manner detrimental to López' fortunes.

#### IV

From December, 1661, until the summer of 1662 López was held in confinement in his dwelling in Santa Fé. There is also evidence that Peñalosa employed other measures to limit his contacts with citizens of the province. Moreover, an illness that had troubled López for some time gradually became more serious, and he was often forced to keep his bed. Under such circumstances López was unable to offer active resistance to the measures adopted by Peñalosa in seeking his own personal profit.

In Chapter III, section II, I referred briefly to certain shipments of goods that López sent to Sonora and Parral. The Sonora shipment, consisting of New Mexican products of various kinds and a large number of Apache captives, was sent under the management of Capt. Francisco Pérez Granillo. The Apache captives were readily sold, but as the result of orders from the *Audiencia* of Guadalajara the deals were later declared null and void, and Pérez Granillo was forced to make a refund to the purchasers. For the remainder of the shipment he realized 2904 pesos which he put into silver bullion. Peñalosa apparently learned about this shipment on his way to Santa Fé for he was said to have sent an agent from the El Paso area to Sonora with instructions to contact Capt. Pérez Granillo and have him bring the silver to New Mexico. Pérez Granillo arrived in Santa Fé a few days after Peñalosa took possession of the provincial government. On orders from the new governor, Pérez Granillo brought the silver to the *Casa Real* where it was weighed in the presence of witnesses. On petition by Pérez Granillo, the silver was put in deposit, instead of being turned over to the ex-governor, López de Mendizábal. The person chosen to receive the silver was Capt. Pedro Lucero de Godoy, in whose hands it remained until February 26, 1662, when it was turned over to Peñalosa by order of the latter. Capt. Lucero later testified that a few days

after this transfer was made Peñalosa remarked, "Concerning this silver, which belongs to Don Bernardo López, I will go to law (*pleitar*) with him, and I will make war with him (*le daré guerra*) [for it]."<sup>15</sup>

Thus Peñalosa began to reveal his purpose to take advantage of López' adversity in order to feather his own nest, and before long he found other means to the same end. During the winter and spring of 1661-1662 he gave orders from time to time for the embargo of large quantities of goods belonging to López, on the ground that it was necessary to provide funds to defray the costs of López' *residencia* and to pay the salaries of the four guards appointed to keep watch over the ex-governor. In this manner 1000 deerskins, hides and leather goods of other kinds, and supplies of *mantas*, shirts, and other textile products were seized and taken to the *Casa Real*. López valued the goods at approximately 1500 pesos. Although Peñalosa made certain small payments to the guards on account of salary due, the bulk of the property thus seized remained in the governor's possession.<sup>16</sup>

On April 19, 1655, shortly after his appointment as *alcalde mayor* of Guaiacocotla, López had borrowed five hundred pesos from a citizen of Mexico City, Don Fernando de Pacheco, Duque de Estrada, giving his note to repay the money by the end of February, 1656. But López failed to repay the loan, and in September, 1660, his creditor finally obtained a judgment for the amount due. Pacheco gave his power of attorney in this matter to Perdo Martínez de Moya and Martín de Carranza, servants or associates of Peñalosa in New Mexico.<sup>17</sup>

Sometime during the winter of 1661-1662 Martínez brought formal action in Santa Fé for execution of the judgment. López admitted the debt, but asserted that fifty pesos had already been paid on account. It was finally agreed that fifty *mantas* and 400 sheep would be accepted as payment of the balance of 450 pesos due, and that Martínez should receive 500 sheep as payment for his serv-

ices as collector, or agent, for Pacheco. In accordance with this agreement López turned over the 900 sheep and fifty *mantas*, but when he asked Peñalosa for the customary receipts, he found it impossible to obtain them.<sup>18</sup>

In May, 1662, some six months later, Martín de Carranza, the second of Pacheco's agents, brought action before Diego del Castillo, the *alcalde ordinario* of Santa Fé, for payment of the loan. Although López apparently protested against this attempt to force payment a second time, he was in no position to make effective resistance. When the *alcalde ordinario* informed him of the claim for payment in the name of Carranza, he asked to have Carranza summoned. But Peñalosa refused this request. Moreover, the governor sent word to the *alcalde* and the notary of the *cabildo*, who were taking down López' reply, not to proceed further in the case, and this order was obeyed to the letter, with the result that López' reply remained unfinished and unsigned. When the *alcalde* and the notary returned to the *Casa Real*, Peñalosa tore up the original petition made by Carranza and López' unfinished reply to the same. A second petition was then drawn up, and Peñalosa dictated a reply in the name of López in which it was stated that López denied the debt and refused to sign the said reply! The governor then forced the notary to certify these papers, and pressure was put on the *alcalde* and other witnesses to sign them.<sup>19</sup>

Orders were then given for the seizure of López' property in sufficient quantity to pay the demand thus made a second time. Several pieces of silver plate and a richly ornamented saddle were removed from López' house, and within a few days twelve oxen and 238 steers, belonging to a herd being grazed at Taos for López' account, were brought to Santa Fé. The property thus placed under embargo was finally sold at auction to a certain Lucas de Villasante, a member of the military escort of the recently arrived mission supply caravan. The total purchase price was 1098 pesos.<sup>20</sup>



At the same time forty-nine pesos were collected from Pedro Martínez de Moya, said to be due on the purchase of 500 sheep and fifty *mantas* allegedly purchased from López.<sup>21</sup> As noted above, López had turned over 500 sheep on account of Martínez' salary as collector when the first settlement of the claim was made. This payment of forty-nine pesos was undoubtedly used as a means of covering up the fact that the note had already been collected.

Thus there was a total of 1147 pesos available to meet Carranza's demand. The costs of the suit were deducted, leaving 1101 pesos' worth of goods to be turned over to Carranza. Five hundred pesos were applied to the liquidation of the note, and the remaining 601 pesos were assigned to Carranza for salary as collector.<sup>22</sup>

It was common knowledge that as purchaser of the property sold at auction Villasante was merely acting as agent for Peñalosa. Moreover, the goods given in payment—*mantas*, hides, etc.—probably came from the stocks of such goods that Peñalosa had accumulated by the simple means of seizure from López. It may be doubted also whether Carranza, as collector for Pacheco, actually retained all of the property assigned to him as salary, the supposition being that Peñalosa probably received a share of it. In fact, all three persons, Martínez, Carranza, and Villasante, were apparently acting as agents and accomplices of the governor.<sup>23</sup>

Thus, by the summer of 1662, Peñalosa had found it possible to use the López case as a means of personal aggrandizement. Other opportunities soon presented themselves. In the spring of 1662 Father Posada received the orders of the Holy Office to arrest Nicolás de Aguilar, Francisco Gómez Robledo, and Diego Romero, and to take appropriate action in the case of Cristóbal de Anaya. The bearer of these orders was ex-governor Juan Manso, who also brought a decree of the *audiencia* naming Peñalosa as judge in the action that Manso was authorized to bring against López on charges based on López' conduct during Manso's

*residencia*. In August, 1662, Peñalosa received the sentence of the *audiencia* in López' *residencia*, and he proceeded to execute the same. And at about the same time Posada received the decrees of the Holy Office for the arrest of López and his wife on charges filed before that tribunal. Thus the situation in New Mexico was further complicated by the series of events resulting from the execution of all these orders and decrees. And it was inevitable that Peñalosa, ever watchful for the main chance, should attempt to derive personal profit and gain from these new developments.

(To be continued)

### NOTES

1. The career of Peñalosa in New Mexico has been briefly summarized in C. W. Hackett, "New Light on Diego de Peñalosa: Proof that he never made an Expedition from Santa Fe to Qivira and the Mississippi River in 1662," *Miss. Valley Hist. Rev.*, VI (1910-1920), 313-325.

2. In a statement of his life history made before the Holy Office on June 25, 1665, Peñalosa stated that he was then "forty-three or forty-four years of age." *Proceso contra Peñalosa*.

3. Peñalosa's father, Maese de Campo don Alonso de Peñalosa Briceño y Berdugo, held office for a time as *corregidor* of Recaxa in the Charcos district. One of his aunts, Doña Petronila de Doipa (?) y Ocampo, was abbess of the convent of the Santísima Trinidad in Lima. A cousin married Dionisio Pérez Manrique de Lara, who served a term as rector of the University of Alcalá de Henares, was later *oidor* of Lima, then President of Charcas, and in 1654 was appointed President of New Granada. One of Peñalosa's brothers served a term as *alcalde ordinario* of La Paz and later was appointed *alcalde provincial* of the *Santa Hermandad*. Peñalosa also claimed as his uncle Fray Alonso Briceño, who served as Bishop of Nicaragua and was later moved to the see of Chile. Testimony of Peñalosa, June 25, 1665, *Proceso contra Peñalosa*; *Encyclopedia Universal Ilustrada*, XLIII, 728-729; Domingo Juarros, *Compendio de la Historia de la Ciudad de Guatemala* (Guatemala, 1857), II, 190.

4. Testimony of Peñalosa, June 25, 1665. *Proceso contra Peñalosa*.

5. *Ibid.*

6. *Ibid.*

7. *Ibid.*

8. Posada to the Holy Office, Santo Domingo, Dec. 8, 1661. A.G.P.M., Inquisición 595.

9. *Real provisión*, México, July 22, 1662. A.G.P.M., Tierras 3268. In a written deposition presented to the Holy Office on Jan. 9, 1664, López' wife indicated one reason why the relations between Valdez and her husband were strained. She stated that on a certain occasion López ordered Valdez not to enter the home of Juan Griego because of his scandalous conduct with a daughter of Griego. *Proceso contra Doña Teresa de Aguilera*.

10. In testimony before the Holy Office, Dec. 3, 1663, López stated ". . . y luego que llegó el dicho Fray Alonso de Posadas al Nuevo Mexico, mostró la union que llevaba hecha con el dicho don Diego de Peñalosa contra este confesante y despachó patente pública a todos los Comventos avisando de la yda del dicho don Diego, mandando le encomendasen a Dios, y llegado que fuese le diesen quanto pidiese o hubiese menester en los Comventos, y que era orden del Comisario General de San Francisco, lo qual se executó inviándole el sustento y todo lo demas de cada Comvento:



y el dicho Don Diego decía que agradecido solo sentia no tener tres o quatro hermanas para el Custodio, y los Frailes, pero que hiciesen todo lo que quisiesen que el haría lo que mandasen . . . ." *Proceso contra López*. A written deposition by Doña Teresa presented to the Holy Office on Oct. 5, 1663, contains the following: "Y el mesmo fletas (Fray Nicolás de Freitas) predicó recien ido peñalosa por gouernador en un sermon que iço que dios auia lleuadole a que socora la iglesia de poder de un erege i otras muchas cosas destas como se lo digo a don bernardo diego romero i todos los que oieron el sermon i los demas que iço pues solo para decir mal dellos acia i era tanta su pasion deste religioso que asta de hir de en casa a solicitar no me amasaran un poco de pan lo acia como lo iço en casa de lucia de montoia amenazandola le auia de ueinir mucho mal por ello si lo acia . . . ." *Proceso contra Doña Teresa de Aguilera*.

11. *Tetimonio de Un Mandamiento en favor de la Custodia del Nuevo Mex.<sup>co</sup>*. Santa Fé, Nov. 4, 1661. B. N. Mex., Legajo, doc. 19.

12. ". . . pues su residencia la hicieron el dicho Fray Alonso de Posadas y los demas religiosos, y le dio el dicho Fray Alonso de Posadas el interrogatorio de preguntas para ello, y un tanto de un dicho para que fuese General en los testigos que llaman para dicha residencia, lo qual le dijo a este confesante Francisco de Anaya Almazan que era el que escribió la residencia, y asi mismo se lo invió a decir Don Fernando Duran de Chaves con Juan Dominguez de Mendoza . . . ." Testimony of López, Dec. 3, 1663. *Proceso contra López*, III. A written deposition by Doña Teresa presented to the Holy Office on Oct. 5, 1663, contained the following: "Primeramente tomo don diego la residencia de don bernardo por un auto de inquisicion como nos lo dijo toriuo de la guerta i Juan domingues de mendoza iendo a guarar en los descargos lo auian uisto i mas digo el dicho Juan domingues sauia en que conuento se auia echo i que fraile el tal auto por interrogatorio para examinar los testigos della." *Proceso contra Doña Teresa de Aguilera*.

13. The manuscript record of the López *residencia* is in A.G.P.M., Tierras 3268.

14. For a statement concerning some of the causes of controversy between López and the Trujillos, see Chapter III, section IV. In a formal complaint presented during López' *residencia*, Diego de Trujillo accused the ex-governor of various acts of injustice, such as unwarranted arrest and imprisonment, seizure of Apache captives, and abusive speech. Francisco de Trujillo stated that López sent him on unnecessary escort duty, and that during his absence from home Apache raiders carried off a herd of thirty mares. For reasons that are not entirely clear, López brought criminal action against Diego del Castillo and threatened him with severe physical punishment. Doña Teresa and the friar-guardian of Santa Fé interceded on behalf of Del Castillo, and the sentence was apparently commuted to a fine and exile. Del Castillo claimed that López built up the case against him by taking evidence from his enemies and by false testimony. A.G.P.M., Tierras 3268.

15. Testimony of Capt. Pedro Lucero de Godoy, May 6, 1664. *Proceso contra Peñalosa*.

16. Testimony of Sargento Mayor Diego del Castillo, May 8, 1664. and of Domingo González, May 17, 1664, in *Proceso contra Peñalosa*; Declaration of López, Sept. 1, 1662, in A.G.P.M., Tierras 3283.

17. *Carta de Justt.<sup>a</sup> . . . en favor de don fernando Pacheco . . .*, [1655-1662]. A.G.P.M., Tierras 3268.

18. Declaration of López, Sept. 1, 1662, A.G.P.M., Tierras 3283; Articles 146 and 147 of the indictment against Peñalosa and his replies to the same, in *Proceso contra Peñalosa*.

19. *Carta de Justt.<sup>a</sup> . . .*, [1665-1662], A.G.P.M., Tierras 3268; Declaration of López, Sept. 1, 1662, A.G.P.M., Tierras 3283; testimony of Antonio González, Feb. 22, 1664, in *Proceso contra Peñalosa*; articles 146 and 147 of the indictment against Peñalosa and replies to the same, in *Proceso contra Peñalosa*.

20. *Carta de Justt.<sup>a</sup> . . .*, [1655-1662], A.G.P.M., Tierras 3268.

21. *Ibid.*

22. *Ibid.*

23. Declaration of various witnesses in *Proceso contra Peñalosa*.



THE CHAPTER ELECTIONS IN 1672  
LANSING B. BLOOM *and* LYNN B. MITCHELL

I—INTRODUCTION

**B**ECAUSE of the complete destruction of records which occurred in New Mexico in August 1680, any documentary material which originated prior to that date is of great interest. Such is a mission document which was written in the year 1672 at the convent of "San Diego de los Jémez" and sent to the superiors of the Franciscan Order in the "Province of the Holy Gospel" at Mexico City. There, (as an endorsement on the back shows) it was filed with other similar "Chapter Elections and Appointments," but today it is in the library of the National Museum of Mexico, bound with many miscellaneous documents in a series of volumes under the vague title "Varios Asuntos."<sup>1</sup>

From a facsimile copy, the Latin text has been deciphered by Dr. Mitchell, and he has also made the annotated translation given below. Besides making the document available in this way for comparative study, it may be of interest for us to discuss some of the persons and places mentioned in the report.

Who were present in this meeting? The custodian, of course, who presided, not by election of his fellow missionaries on the field but by authority from Mexico City. We may think of spiritual authority as delegated from above: the Pope as head of the Church in Rome, through the agency of the *Propaganda Fidei*, delegated authority to the governing body of the Franciscan Order in Spain; they in turn to (among others) the "Province of the Holy Gospel" in Mexico City; and they again designated (among others) the custodian for the "Custody of the Conversion of Saint Paul" in New Mexico.

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1. Mexico, Museo Nacional, *Asuntos*, vol. 216, f. 148. The document consists of a single folio sheet which was opened out flat and written upon transversely, front and back. The handwriting is that of Fray Andrés Durán.

Who else were present in this meeting? At this time New Mexico was entitled to a total missionary force of forty-nine, of whom forty-five were to be *sacerdotes* (Franciscans of the First Order) and four *legos* (brothers of the Second Order).<sup>2</sup> Deducting the lay brothers (who would not vote and no one of whom is named), our document seems to state (as Dr. Mitchell explains in his notes) that all the *sacerdotes* were at the meeting. But we find only thirty-one names, whereas there should be forty-one. Had ten died or left in less than two years?

It appears more probable that at least some of the missionaries serving at the more distant stations did not participate; in fact we cannot be sure that all of the thirty-one named were present—all we do know, from this document, is that they were all then active in the work and that they were assigned as here reported.<sup>3</sup> From a survey of the mission stations and their distribution, we may estimate that not over twenty were actually present—including the four who actually signed.

A little quick work with a pencil will show that the twenty-six stations which are named occupied the whole Rio Grande valley from the Summas below Paso del Norte to Picurías and Taos in the north, and from Pecos on the east to Oraibi and the Coconinos on the west. If a sketch is drawn of the Rio Grande and its tributaries, the picture as a

2. Only a few years before this, the total had been as high as seventy. Just when the reduction was made cannot be stated. The figures given are taken from a *libranza* of August 5, 1671, in A. G. I., Contaduría 763B, ramo *Datta*, sección de "Guerras de los Chichimecos," f. 6 *et seq.* The payment of this date was a total of 31,320 pesos which was in part transportation costs of the last two dispatches of supplies and in part an installment of the *limosnas*, or stipends, of the current triennium running from August 3, 1669, to August 2, 1672. It is stated that the last report received from New Mexico (which must have left New Mexico late in 1670) stated that the effective force at that time was 33 *sacerdotes* and 2 *legos*; and included in the estimate were 12 *sacerdotes* and 2 *legos* who were then going out and who would bring the total force up to 49. Supposedly these recruits had arrived some months before the date of this meeting. On the other hand, very possibly some of the 35 reported in 1670 had, since that time, died or returned to Mexico.

3. Fray Salvador de Guerra is not mentioned, yet he was in charge of the supply-train which arrived earlier this year. Fray García de San Francisco y Zúñiga, a veteran of many years, is said to have died at Senecú January 22, 1673, but his name is not here.

whole becomes clear. And we should also mark the names of pueblos which are not mentioned but which we know were being cared for. The pueblo of the Jumanas and its *visita* Tabirá are not listed—perhaps they had already been wiped out by their Gentile enemies; but we will put down San Lázaro, San Cristóbal, Tesuque, Jacona, Cuyamungué, Pojuaque, Santa Clara, Cochití, San Felipe, and Santa Ana. Apparently all of these were being cared for as *visitas*. The picture is one of a wide spread and difficult field, and a very limited band of workers. And we must not forget that the Spanish population also looked to these same Franciscans for any spiritual ministry and consolation they received. There were no secular clergy.

In any way in which we can figure it, most of those here placed in charge of the mission stations went to their posts alone, without a companion missionary. Yet the Franciscans were a missionary Order, and it is significant that their distribution shows a reaching out for "new flocks": the Mansos and the Summas on the lower Rio Grande, and the Coconinos west of Oraibi.

An analysis of the missionaries named in this document reveals a number of interesting facts. At least one of them, Fray José de Espeleta, had come to New Mexico about 1650 or earlier; a number of them had arrived only the year before.<sup>4</sup> Of these latter Fray Pedro de Ayala, here assigned to Hawikúh, was killed only a few weeks later in an Apache attack on that pueblo; and it was Fray Juan Galdo (at Alona) who recovered his body. Another of these thirty-one missionaries, Fray Alonso Gil de Avila (here assigned to the mission of Abó) was later serving in the mission of

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4. Probably by mistake of a copyist some of the missionaries who appear in this document are said to have come to New Mexico only in 1674 or even 1677; yet here they were, in 1672. See, e. g., the data published in 1680 regarding those killed in the Pueblo rebellion, in Maas, *Misiones de Nuevo Mejico* (Madrid 1929), 86-89.

The inaccuracy on the part of copyists thus revealed is reflected in the numerous discrepancies noted by Dr. Chas. W. Hackett in a volume received just as we are going to press: C. W. Hackett (ed.), *Historical Documents relating to New Mexico, Nueva Vizcaya, and Approaches Thereto, to 1773* (Washington, 1937), III, pp. 335-339.



Senecú when, in January 1675, he also was killed in an Apache attack.

Of the others, twenty-one were involved in the Pueblo rebellion of 1680, twelve being among those killed in that uprising<sup>5</sup> and nine of them being among those who escaped that massacre. Of the nine who were saved in 1680 and who are here named,<sup>6</sup> Fray Andrés Durán was the storm-center of a strange witchcraft affair at San Ildefonso in 1675; he and Cadena were both in the siege of Santa Fé in August 1680. Muñoz is the one who served as chaplain for Governor Manso back in 1658 at "los baños de San Joseph de los Jémez."<sup>7</sup> Fray Salvador de San Antonio was to be custodian of the missionaries who returned with Governor Diego de Vargas in 1693; and still later, Fray Juan Alvarez was to serve as custodian in 1703-1705.

Possibly one more name, that of Fray Felipe de Montes,<sup>8</sup> should be added to the above list of those who were killed in 1680. Probably Fray Benedicto de la Natividad had died before that date.<sup>9</sup> Regarding six others, we know little

5. These were Frailes Juan del Bal (Val), Juan Bernal (here agent of the Inquisition and assigned to Galisteo, but he was custodian in 1680), José de Espeleta (already mentioned), Juan de Jesús (here assigned to Sandía), Francisco Antonio Lorenzana, Lucas Maldonado (here sent to Acoma and later killed there), Luís de Morales, Antonio de Mora (at Taos), Juan de Talabán (here sent to the Summas, later killed at Santo Domingo), Tomás de Torres (here assigned to Jémez, later killed at Nambé), José de Trujillo (here assigned to the Coconinos, killed in the Hopi country), and Fernando de Velasco (here sent to Socorro, later killed in the Pecos country).

6. These nine were: Frailes Juan Alvarez (Paso del Norte), Francisco Gómez de Cadena (Isleta), Andrés Durán (San Ildefonso), Nicolás Hurtado (Summas), Nicolás López (custodian at this time), Francisco Muñoz (Sandía), Diego de Parraga (Cuarac), Salvador de San Antonio (Alamillo), and Antonio de Sierra (Picurías).

7. This incident at "baths" in the Jémez country will be referred to again, below.

8. Among those killed in 1680, Fray Francisco de Ayeta reported the death of Fray José de Montes de Oca, native of Queretaro, son of the (Franciscan) province of Michoacan, who entered as a missionary in 1664. A. G. N., *Historia* 25, f. 171v. Bancroft gave his entry as in 1667; Father Otto Maas, *Misiones de Nuevo Méjico*, 87, has it (from sources in Spain) as 1674. Fray Felipe de Montes signed in 1672 as one of the definitors and his name is perfectly legible. In the circumstances under which Ayeta wrote his dispatches of Sept. 11, 1680, it would not be surprising if he wrote "José" in place of "Felipe."

9. This father was one of four in this list who had come to New Mexico before 1658; the others being Espeleta, Muñoz, and José de Paredes. Vide F. V. Scholes, "The Supply Service of the N. M. Missions," in N. M. HIST. REV., V (1930), 208-210. In 1668 Fray Benedicto was "loaded down with years and with ills," (*id.*, IV, 199) and he was probably one of the three (unnamed by Ayeta) who had died a natural death before 1680.

except the fact shown by this document that they were actually serving in the year 1672.<sup>10</sup> Perhaps some of them have been rescued from complete oblivion by the finding of this scrap of paper.

We now come to a discussion of the place where this meeting was held—"San Diego de Jémez." Hitherto we have accepted the statement of earlier students that the seventeenth century mission of this name was the one which had been built at the Jémez pueblo of Guusewa (Guï-oo'sā-wä) the ruins of which are in the present-day Jémez Springs. In earlier papers<sup>11</sup> we did not question this identification by Bandelier<sup>12</sup> and those who followed him, overlooking Bandelier's statement that he had "made but two short visits to the Jémez country, and had neither time nor opportunity for examining its ruins, except superficially." Sometime it may be of antiquarian interest to see whether this case of mistaken identity traces back to writers earlier than Bandelier; our present interest is simply in recognizing that it was a mistake and in establishing the correct identity of the San Diego mission.

It has long been known that the Franciscan Fathers used at least three mission titles in connection with their seventeenth century work among the Jémez people: San José de los Jémez, San Diego de los Jémez, and San Juan de los Jémez. In 1630 Fray Alonso de Benavides<sup>13</sup> wrote of the first two in the following way:

. . . we have congregated it (the Jemez "nation") in two pueblos; that is, in the (pueblo) of San Joseph, which was still standing, with a very sumptuous and beautiful Church and Convent, and in the (pueblo) of San Diego of the Congregation,

10. These six are Paredes, Juan del Hierro, Juan Zamorano, Sebastián de Aliri, Felipe Pacheco, and Juan de Galdó.

11. L. B. Bloom, "The West Jémez Culture Area," *El Palacio* xii (1922), 19-25; and "The Jémez Expedition of the School (of American Research), Summer of 1922," *ibid.*, xiv (1923), 13-20.

12. A. F. Bandelier, *Final Report of Investigations . . . from 1880 to 1885, Part II* (1892), 200-217.

13. *The Memorial of Fray Alonso de Benavides, 1630* (Ayer edition 1916), with notes by F. W. Hodge and C. F. Lummis, p. 100.

which for this purpose we founded anew, bringing thither what Indians there were of that nation who were going about astray . . .

For many years also the remains of two mission churches in the Jémez area have been known: the one at Guiusewa already mentioned, the other at Cañon.<sup>14</sup> Having from documentary sources the names of three seventeenth century missions and having only two known ruins with which to identify those names, we are in something of a dilemma. However, "San Juan" first shows up after 1680, so we may attack the problem by stating it in the form of two alternatives: (1) if the mission at Guiusewa was San Diego, where were the other two? (2) if at Guiusewa we have the ruins of the San José mission, where were the other two, and especially San Diego where this chapter meeting was held?

If the first hypothesis is correct, then from the wording of Benavides it would seem necessary to find somewhere a "San José" mission, the church of which was more imposing than the one which we have at Guiusewa. The church ruin at Cañon decidedly does not meet this requirement; the wall construction is much inferior to that at Guiusewa, the dimensions and other architectural features do not compare favorably with those of the alleged "San Diego." Evidently

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14. For convenience I shall so refer to this site. Actually the ruin is a mile north of Cañon, a Spanish-American settlement which is scattered from the boundary of the Jémez pueblo grant up the valley to a point five miles above the pueblo where two forks of the Jémez river unite, as they emerge from the Guadalupe and San Diego cañons. Separating these cañons, towers up the lofty *peñol*, from the foot of which extends southward for a mile and a half a lower point, or "the first mesa" as Governor Vargas called it in 1694. On this long, low point is a prehistoric pueblo ruin of the Jémez people called "Patokwa." A little to the north are the larger ruins of a pueblo called Astialakwa which was being used by the Jémez in 1694 in connection with their refuge-pueblo high up on the *peñol*. The upper pueblo is called Mash-tiashinkwa (place of the thumb), though archaeologists are calling it Astialakwa (place of the index finger). If the reader will hold his open hand in vertical position with thumb on top, he will see why the Jémez people so name the two sites.

At the north edge of the Astialakwa ruins, on the first mesa, are the remains of a Christian church which (as we shall see presently) was built in the summer of 1694 and was abandoned in less than two years.



the hypothetical "San José" would have to be sought elsewhere than at Cañon.

Sixteen years ago we pointed out the fact that the first Europeans who visited the Jémez people<sup>15</sup> entered the region by way of Zía and went north, not by way of the San Diego cañon, but by way of the Vallecito Viejo and the upper Valles and in that part of the Jémez country they reported seven pueblos. It is not clear whether they detoured westward to visit the three "Hot Springs" pueblos which they also reported, but it is clear that in Coronado's time the principal Jémez country was in the Valles section. As a matter of fact, there are twelve major ruins in the Valles<sup>16</sup> as against nine in the Guadalupe-San Diego section. It would therefore be reasonable to look for an imposing church ruin in the Valles section. Thus far, the results of diligent and repeated search have been entirely negative.

Several years ago it occurred to us that Bandelier may have been mistaken in identifying the San Diego mission with the old pueblo of Guisewa; that we have there the remains of the San José church described by Benavides in 1630.<sup>17</sup> A surprising amount of evidence has been our reward and it seems to establish certain facts beyond any reasonable doubt.

15. See "West Jémez Culture Area," *loc. cit.*

16. By the courtesy of W. S. Stallings, Jr., we have tree-ring readings from material gathered at three of these ruins which show occupation ranging from 1598 to 1657.

17. As one result of his studies in the records of the seventeenth century and from his visits to the Jémez country, France V. Scholes has suggested this same possibility but he has not reached any definite conclusions.

In "A Critical study of the religious architecture of New Mexico" (unpublished M.A. thesis, Yale, 1936). Mr. George Kubler has done a very fine piece of work along an independent line of research. In concluding that the Gyusiwa (Guisewa) ruin was the San José of Benavides, he calls attention to the following facts among others: the San Diego Mission was located in the middle of a plaza, which does not fit the Guisewa ruin; timbers in the walls in that ruin have yielded tree-ring readings of close to the year 1625 and they reveal no evidence of burning, though we know that San Diego was so destroyed in 1680. Therefore, he concludes, it was San José. Mr. Kubler follows Bandelier in identifying the Cañon ruin as San Juan—which we shall show is not in accord with documentary evidence; and he leaves the identifying of San Diego undetermined.

As we now see it, the earliest missionary work among the Jémez people began in 1598-99 and centered at the pueblo of Guiusewa.<sup>18</sup> Fray Alonso Lugo and perhaps several successors (unknown) ministered to this and neighboring pueblos,<sup>19</sup> that of Amoshiumkwa being mentioned as a *visita* as of about 1622.<sup>20</sup> During part of the period from 1621 to 1626, Fray Gerónimo de Zárate Salmerón labored at Guiusewa, and it was during his service that the mission was designated as San Joseph de los Jémez. But in the latter part of this period, doubtless while Salmerón was laboring among the Queres people, the Jémez people almost completely abandoned Guiusewa because of attacks upon them and inadequate food supplies and apparently for several years the mission was not maintained. It was revived after Fray Alonso de Benavides came in as custodian in 1625 and he sent Fray Martín de Arvide to the Jémez field—perhaps as early as 1626. How long after Arvide took charge the mission at Guiusewa struggled along is not known, but it had passed into history before 1639. In records of that year and from then until the Pueblo rebellion of 1680, the writer does not know of a single mention in documentary sources of more than one convent or mission among the Jémez people,—and that one, as we shall show, was “San Diego de la Congregación.”<sup>21</sup>

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18. A more detailed discussion of these early records will be found in a paper by Dr. France V. Scholes, “Notes on the Jémez Missions in the 17th Century,” to be published shortly in *El Palacio*.

19. In a monograph, still unpublished, “The Jémez Pueblo of Unshagi,” Mr. Paul Reiter of the School of American Research gives a tree-ring reading as late as 1604 from that pueblo, which is about three miles up the valley from Guiusewa.

20. This appears in Zárate Salmerón, “Relaciones de Nuevo Mexico” (1629) and Niel “Apuntamientos” (1729) as published in *Documentos para la historia de Mexico* (1856), 3rd series, (title III), pp. 49, 99. The Jesuit father, Niel, was never in New Mexico and got his facts rather badly mixed, and some copyist or the printer made a bad job of reading his manuscript; yet the pueblo names are recognizable.

21. The 1639 reference is to the record of an “aueriguacion sumario de todo lo susedido en dha custodia” in which one witness after another answers, among other questions, one as to the killing of Fray Diego de San Lucas “en el convento de los Hemes.” See, e. g., the testimony of Capt. Nicolás de la Mar y Vargas, in A. G. I., Patronato 244, ramo 7, p. 96. (This is one of the archives listed by the writer in Seville, Spain, for copying by the Library of Congress. The paging indicated is that of the LC facsimile.)

The name of the Guusewa mission persisted, however, as a place-name. We have an interesting proof of this from the record of a trial before the Inquisition in Mexico City in 1660.<sup>22</sup> Former governor Juan Manso was one of the witnesses called, and from one of his replies it appears that, late in the spring of 1658,<sup>23</sup> he was sick and went for relief to "the baths of San Jose de los Jemez." Because it was then a region exposed to hostile Indians, he took along a few soldiers; and because the region was unsettled, he took along one of the missionaries, Fray Francisco Muñoz, to say mass for him,—and for his use a booth of branches (*enrramada*) was put up. Evidently they camped close to the thermal springs, half a mile down the cañon from the deserted Guusewa pueblo and San José mission, of which there is no mention in this archive. And they were thirteen miles up in the mountains from the nearest mission—San Diego de la Congregación de los Jémez.

But our last sentence raises the question: does that mean that the early San Diego mission was in the same place where the Jémez pueblo stands today? Our answer is in the affirmative. If convincing evidence is shown that, at the time of the Pueblo revolt in 1680, the only pueblo of the Jémez people and the only mission among them were at the place indicated, and since there is no mention of more than one pueblo or mission as far back as 1639, how can we think otherwise?

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22. The case was that of Capt. Diego Romero, and a transcript of it was gotten by Dr. France V. Scholes in 1927-28. It is among the facsimiles secured in 1930 which is here of interest: ". . . se acuerda que siendo este declarante Gobernador de las are now in the Coronado Library, University of New Mexico. The following excerpt Prouincias del Nuebo Mexico, estando achacosso, fue a los baños de san Joseph de los Hemes, y llebo en su Compania cinco, o, seis soldados de escolta por tocar en tierra de guerra, y Juntamente llebo capellan para que le dijesse missa por ser en despoblado. . . ." A. G. N., Inquisicion 586, exp. 1, f. 9v.

23. The date is fixed by the testimony of another witness in the Romero case, Fray Nicolás de Chaves. On Sept. 18, 1660, he stated that about two and a half years before, the Manso party reached the convent of San Marcos (where he was alone) on "Saturday, vespers of the Most Holy Trinity." Trinity Sunday is the 8th after Easter; and the party had been at the baths "seven or eight days." *Ibid.*, f. 6.



Perhaps the best approach to our discussion of the San Diego mission will be to take a glance at the geographical character of the Jémez country as a whole. The principal ruins of the old pueblos cover an area which spreads from Peralta cañon on the east to the Nacimiento range on the west, and from the Valle Grande on the north to a mile below the present pueblo on the south. More than any other Pueblo people, the Jémez were the "highlanders" of New Mexico, for the Spaniards found most of their pueblos on lofty mesas among the yellow pine and usually protected on one or more sides by sheer cliffs.

The first Spaniards who explored the Jémez country at once recognized a significant fact: that the Indian pueblos formed two fairly isolated groups, separated by a lofty ridge which stretches south almost to the present Jémez. The smaller, western group may be named the "San Diego-Guadalupe" and the more numerous and wide-spread eastern group the "Valles." There is no direct trail between the two,<sup>24</sup> so how should the early missionaries organize their work in evangelizing such a field? Their solution was, (1) the mission at Guiusewa to which the people of those neighboring pueblos should be drawn, and (2) another mission in a suitable location at which could be "congregated" the people of the Valles pueblos.

In support of this reasoning we have an interesting statement by Benavides in the 1634 edition of his *Memorial*.<sup>25</sup> After some opening remarks about the Jémez people and their country, Benavides continues:

Among those to whose lot fell the converting of this nation was one Father Fray Gerónimo de Zárate who, being a good minister and linguist, baptized there more than 6,000 of these Indians. He founded a very beautiful convent and a magnificent temple in the principal town dedicated to San

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24. The old "Bland Trail" with some stiff climbs and detours, will take one from Jémez Springs across the mountains to Bland and so out to Cochiti.

25. This Spanish text was supplied me by the courtesy of Dr. France V. Scholes.

Joseph.<sup>26</sup> This Religious, seeing that it was impossible for the "mountain" Indians to be well administered, reduced them to living in a pueblo which with their own help he founded at a very suitable site of this same nation, and after he had labored well on this and had brought thither a multitude of people, it happened that this pueblo was destroyed by fire, so that it was entirely depopulated and all the Indians returned to their ancient mountain (homes) and many of them scattered to other parts. And in the same year 1628 I entrusted this "reduction" and the new founding of the same pueblo to Father Fray Martín de Arvide (of whom we now have news that in the year 1632 he suffered martyrdom in the province of Zuñi), who, with his great zeal, congregated great numbers of those Jémez Indians and with their help and by his great industry and personal effort he founded again anew all that pueblo with more than 300 houses and its very good church and having cultivated for them lands in which to sow and having put in the houses everything necessary to sustain themselves till the harvest, he brought to live at the pueblo a multitude of people whom he was teaching and administering very well, and I dedicated that congregation to the glorious San Diego . . .

In our understanding of this account by Benavides, earlier missionaries in the Jémez field were followed by

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26. This statement that the San José mission was at "the principal town" of the Jémez people calls to mind the statement of Oñate who entered the Jémez country from the north on August 3, 1598; on the 4th he descended to other pueblos of the Jémez, "which altogether are eleven (of which) we saw eight, . . . on the 5th we descended to the last pueblo of the said province, and saw the marvellous hot baths which rise in many parts and have similar marvels of nature, in cold waters and very hot." See A. F. Bandelier, *Final Report* . . ., Part II, 206, note.

Our interpretation of Oñate's record is that, from his headquarters at San Juan pueblo, he ascended Santa Clara cañon and entered the Jémez country through the Valle Grande. In the Valles section he visited eight out of eleven pueblos; then by detouring north (to head the deep intervening cañon) he followed the old Indian trail which "descends" through "Church cañon" directly to Guusewa.

It should be noted that Benavides, in his survey of the various "nations" of New Mexico, takes us in, and out, by the same route. After describing the Tewa country he says: "Passing over this river (Río Grande) to the westward, at seven leagues (twenty miles!) one strikes the Hemes nation . . . Turning back, then, to the Teoas nation from which we came out to go to the Hemes . . ." *The Memorial of Fray Alonso de Benavides, 1630* (Ayer tr., 1916), 24, 25.

Zárate Salmerón. At Guiosewa, the earlier church of the time of Fray Alonso Lugo<sup>27</sup> was now developed into the "magnificent temple" dedicated to San José. But, unable from this point to minister to the Jémez people in their mountain retreats of the Valles section, he established a new pueblo—where Jémez pueblo stands today—and gathered a great number of them there. According to data assembled by Dr. Scholes, the founding of this pueblo could not have been earlier than late in 1621, and the disastrous fire which destroyed it must have occurred within about two years, incident to the evil influence of Governor Juan de Eulate. Fray Martín de Arvide may have taken charge of the mission at Guiosewa as early as 1626; but it may be that he did not come until 1628 when (as Benavides here states) he was given the specific task of "reducing" the Valles pueblos and refounding the pueblo which had been burned,—and which Benavides now dedicated as "San Diego de la Congregación."

This locating of the early San Diego mission seems to find confirmation in the following description "of the convent of San Diego de Jémez":<sup>28</sup>

A Congregation having been made from five towns on account of the warlikeness of the Barbarians and because towns of the vicinity are perched on the edge of cliffs, more than 5,000 were staying around. Waters from melted snow are used for drink, and cottonwood abounds, as in all the Cus-

27. For the sources as to this church, see F. V. Scholes, *op. cit.* But his interpretation of these sources may not be in accord with ours.

28. This is quoted from a facsimile copy, secured by Dr. Scholes, of a manuscript volume: *Historica Relatio de Incrementis Gloriosiss, ac Trophaeis, Provinciae Sancti Evangelii Mexicanae in hoc Novo Mundo Carolino Indiarum omnium Occidentalium Provinciarum Faecundae Matris. A. P. Fr. Augustino de Vetancut (sic) . . . Huius Centuriae ab anno 1600 vsque ad annum 1681 acuratissime collectis.*

The original of the passage quoted reads:

Ex quinque oppidis congregatione facta ob de bellationem Barbarorum, et quod oppida rupium crepidine existant, viciniora, plusquam quinque millia fidelium commorabantur, aqiii Niuis liquae factae potiuntur, et gospypio abundant, quod per totam Custodiam, ad codices (lodices?), et traguba gospypina texenda portatur ad aedes ad tria, et quatuor contabulata erecta per scalam ingreditur, portabilem.

Hic P. Fr. Joannes a Jessu Granatensis Prouintiae Appostolarum Petri, et Pauli de Michoacan alumnus fuit occissus ac templum combustum.



today, and when logs are needed for their houses they are transported as far as Zia (*ad tria*) on a drag made of cottonwood, and (their houses) erected four stories high are entered by portable ladders.

Here, Father Fray Juan de Jesus, (native) of Granada, alumnus of the Province of the Apostles Peter and Paul of Michoacan, was killed and the temple (was) consumed in flames.

This condensed and rather jumbled statement seems to hark back to the time of Fray Arvide and the rebuilding of the San Diego pueblo. There were not five towns so located in the Guadalupe-San Diego section, but there were in the Valles group. From the head of the Vallecito Viejo a trail climbs to the mesa-top on the east<sup>29</sup> which the Jémez Indians call their "old viga trail." It may well be that Fray Arvide had draught animals and that vigas were so transported to the new pueblo, six miles away where the Vallecito creek joins the main stream of the Jémez river.

Within the next ten years, 1628-38, the mission at Guiosewa drops out of the records and doubtless as many of their Jémez neophytes as the missionaries could hold on to were transferred to the San Diego mission, thirteen miles away. Thus San José de los Jémez disappeared; San Diego de la Congregación continued—to 1680.<sup>30</sup>

We now come to the confused and complicated shiftings of the Jémez people during the period of Rebellion and Reconquest, 1680-1706. What happened during these years can best be shown by use of the Vargas records, and we shall also refer to several traditions of the Jémez people.<sup>31</sup>

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29. This old trail continues almost due east by way of Bear Spring (Ojo de Oso) to Peralta cañon and out to Cochití on the Rio Grande. The most eastern Jémez pueblo site which we have seen overlooks Peralta cañon.

30. Either some of the Jémez people remained *infieles* throughout the 17th century, or at times there were defections from the mission. Late glaze-ware has been found at a number of the Jémez ruins, and the reading "1657" has been found by Mr. W. S. Stallings, Jr., in tree-ring material from B'ö-litz-a-kwa (site 136, as listed by the Laboratory of American Anthropology). This large ruin stands on the high *portrero* west of the Poliza cañon, about ten miles from the modern Jémez.

31. None of the Vargas citations below are from transcripts or other secondary sources; all of them are from original *autos* in the Spanish archives at Santa Fe in

This material might seem out of place in discussing the mission document of 1672, but it will help establish the identity of San Diego de los Jémez in that year.

On October 23, 1692, Governor Diego de Vargas arrived at the old pueblo of Zía, which he found in ruins as it had been left three years before by Governor Jironza. The next day, at a distance of four leagues (10-11 miles) he found this Queres people in a pueblo which they had built on the second mesa of the "Cerro Colorado." The people descended to "the first mesa" to receive him; and after coming to terms with them he "went on to sleep in sight of the old pueblo of the Xemes, which march seemed to be two long leagues (5-6) miles."<sup>32</sup> Including the climb to the top of the Cerro Colorado, this Zía ruin is nearly five miles west of the present pueblo of Jémez; and Vargas may have camped a half-mile up-stream.

The next day, Vargas marched "to the pueblo of the Xemes which is found on the high mesas at a distance of three leagues (c. 8 miles) from that which they had abandoned." He described the ascent as very bad, yet he rode up horseback; *suvi a cavallo dicha questa*. More than 300 Indians with bows and arrows came out to meet him, while more than 200 others, armed, remained on top and on the slope of its ascent. This would indicate a population at that pueblo-refuge in 1692 of at least a thousand people. In making terms with them, he ordered them to return to their abandoned pueblo, in front of which he was to pass that night—on his way back to Santa Fé by way of Santa Ana and San Felipe. They also agreed to send him some supplies

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32. N. M. M., Span. Archs., no. 53, ff. 143-145.

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the Museum of New Mexico (cited as M. N. M.), or from photographic copies of the *testimonios de autos* in Mexico City and in Seville (cited respectively as A. G. N. and A. G. I.). Especially complete and important are five legajos in the Archivo General de Indias (A. G. I., Guadalajara 138-142) which were listed by the writer in Seville in 1929 for photocopying by the Library of Congress and which were so secured. Of course they duplicate the originals still at Santa Fe, but they also fill the gaps caused by the pilfering of H. H. Bancroft and the late Territorial Secretary of New Mexico, William G. Ritch. Those papers taken by Ritch were sold by his son to the Huntington Library in 1927, but fortunately they included only a small part of the original Vargas *autos*.

in the morning. This *auto* closes with the statement as to the distance marched, from the camp "in sight of the old pueblo of Xemes" to the high mesa and back, as six long leagues (16-17 miles).<sup>33</sup> All students are agreed that this pueblo of the Jémez was on the *peñol* or high promontory six miles north of the present pueblo, and where the Guadalupe and San Diego cañons come together. It is noticeable that in these *autos* of 1692 there is no mention of any pueblo then standing on the lower point, or "first mesa," though there may have been.

Not until November 1693 did Vargas again visit the Jémez at the *peñol*. Again he slept at the old site, which had not yet been made ready for renewed occupancy. This time the distances given are shorter: from old Santa Ana to the Cerro Colorado, five long leagues, and another long league to the abandoned pueblo of the Jémez; and from there to the *peñol* and return, four leagues.<sup>34</sup>

The people on the *peñol* were very friendly, but the demand of Vargas for food supplies got only a meager response; they claimed that "the worm and the grasshopper" (*el gusano y el capulí*) had left them only the stalks. However, four Jémez captains followed after Vargas and about nine o'clock that night appeared at his tent with many friendly protestations, with a present of nine blankets and a promise of more supplies—and with an urgent petition that he allow them to remain at their new pueblo and continue to use their fields on both sides of the cañon. They also told him that they had picked out a good site for their church and convent. Vargas told them he would give his decision to their governor next day—when the latter came with the supplies! Though not so stated here, we shall see that Vargas did grant this petition.

A separate *auto* was here inserted regarding an important event which happened earlier on this same day, November 26. Vargas was already mounted and on the

33. *Ibid.*, f. 145v. *et seq.* Next day (Sunday) after mass, Vargas marched 7 long leagues to the deserted pueblo of Santa Ana to sleep; and next day went on.

34. A. G. N., Historia 38, f. 42 *et seq.*



point of leaving the *peñol* when two Indians presented themselves before him, offering the greetings and the submission of their people who were in a pueblo "on the last mesa of that mountain."<sup>35</sup> They felt that the return of the Spaniards would give them relief from their Tewa and Tano enemies and from the Apaches of various bands who were constantly descending upon them to kill those who went to their fields, and to rob and take captives. Because of such constant aggressions these Jémez had left their pueblo (meaning San Diego), going to the said mesa, and they also said that other Jémez refugees were likewise living on other mesas of the said mountain and of different mountains, but that when spring came, they would descend to live again in their said pueblo. Vargas encouraged them in this resolution, urging the benefits which they might have from the Spaniards. At old San Diego they had many good lands on which to sow all kinds of crops which they might barter for the cloth of the Spaniards which they esteemed so highly, and for other effects which cost less; and he assured them not to fear to descend to their said pueblo.<sup>36</sup>

In May, 1694, we have mention of "the two pueblos of the two mesas." The war-captains of Zía and Santa Ana came to Santa Fé to report a fight which their people had had with Jémez Indians at the old deserted pueblo "near the road." One Jémez prisoner said he was captured "while going to sow the field of the governor down the cañon." Another Jémez prisoner blamed the ambush on "the Queres Indians who live on the second mesa, on the first (mesa) of which they have their said pueblo of the Gemes." It developed that this one knew about the killing of "Padre Hiesús" and he was held to point out where the body was buried.<sup>37</sup>

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35. This phrase, and the distance elsewhere given, point to Amoshiumkwa which stood a long eight miles north, west of the head of Virgin cañon. This other pueblo of refugees was occupied by Queres from Santo Domingo and by Jémez from the deserted "San Diego." The two Indian spokesmen were Andrés of Santo Domingo and "the governor Joseph"—the latter evidently Jémez.

36. A. G. N., Historia 38, ff. 40v-49, *passim*.

37. A. G. N., Historia 39, ff. 104-107. Padre Juan de Jesús had been killed in August 1680 at "San Diego de los Jémez." We shall see where the body was found.

The Jémez were again rebellious. They had abandoned their new pueblo on the first mesa and were again above on the *peñol*. So in July, 1694, we find Vargas marching against them with some fifty Spanish soldiers and many Queres allies from San Felipe, Santa Ana, and Zía. Leaving this last pueblo just at dark on July 23, the force marched four long leagues and halted soon after midnight. Half of the soldiers at once proceeded up San Diego cañon, since they were to gain the second mesa from the rear and had farther to go. Just at dawn, Vargas with the remaining force climbed to the first mesa, to make the frontal attack "by the principal trail by which the Xemes descended to their fields and to the pueblo of the (first) mesa which they have left."

The battle was a serious defeat to the people of this pueblo, for Vargas captured 361 women and children (only ten women got away), and he also took all their store of corn—which was badly needed at Santa Fé. During his operations at the *peñol*, he established his camp in the pueblo on the lower point,<sup>38</sup> with three of the four entrances walled up for better defense; and for seven days he used his prisoners and the Indian allies, two trips each day, in looting the captured pueblo and packing the plunder down the trail.<sup>39</sup> A loaded mule-train was at once sent off for San Felipe, whence carts relayed the corn to Santa Fé. But it was found possible to bring the carts in "as far as the old pueblo which the rebels had left (1680) at a distance of a league and a half (four miles) before arriving at this said mesa." Actually, on August 5th, the fourteen carts were brought "within sight" of the mesa "at a distance of a little over a league," and 240 fanegas of corn were soon carried to them from the first mesa.

On the afternoon of August 8th, Vargas started 364 prisoners off on the road for Santa Fé, but he went on

38. Apparently the promised church had not yet been built; at least Vargas had an *enramada* in the plaza for the saying of mass.

39. Stripped of its supplies, the pueblo on the *peñol* was burned on August 2nd. *Ibid.*, f. 212.

ahead with a squad of twenty soldiers, and in the first plaza of the deserted Jémez pueblo of 1680, with the help of two Indian informants and in the presence of the Santa Fé town-council and the missionaries who were with him, Vargas located and disinterred the remains of the martyr, Fray Juan de Jesús.<sup>40</sup> He slept that night at Zía pueblo and he reached Santa Fé with the bones of the martyr in the early morning of August 10th.

Six days later, representatives of the Jémez who had been defeated at the *peñol* appeared before Vargas in Santa Fé to beg for the return of their families. He told them that they might have them back after the Jémez had returned to their old pueblo and rebuilt their church, and if they proved their good faith by helping him conquer the Tewas and the Tanos who were still in rebellion. These terms were complied with, and the prisoners were released at Santa Fé on September 11th.<sup>41</sup>

Two weeks later, September 24, Vargas set out from Santa Fé to escort to their assigned posts in Pecos, San Felipe, Zía and Jémez the missionaries assigned to them; and in each pueblo also he had the people elect their officers as before the rebellion, and he took their oath and gave to them their *baras y bastones*.

At Santa Ana he found awaiting him "four captains of the rebels who are living on the *mesa of San Juan*, two from the Jémez Indians who separated from the said pueblo (old San Diego) and went to that mesa in years passed (1680?) in company with the Queres of the pueblo of Santo Domingo, and likewise other two captains representing those of Santo Domingo . . . and they most humbly asked my pardon and promised that they would live as Christians and as vassals of His Majesty." Vargas took off a rosary and placed it on the neck of one of the captains, and sent word that their people must descend from their mesa to that of the pueblo of Xemes, whither he was going (God will-

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40. A. G. N., *Historia* 39, ff. 216-218.

41. *Ibid.*, 228, 300. In this case, "their old pueblo" seems to refer to the one on the first mesa.



ing) to make a visit and to leave anew the padre whom he was taking thither.<sup>42</sup>

On the next day, Vargas entered "the pueblo and mesa of the Xemes nation which by force of arms I fought and reconquered," and the people were found "to have complied more than exactly in everything, for which I gave infinite thanks to the Divine Lady and our Protectress in the said Reconquest, for which reason, and the said pueblo having as advocate the titular saint San Diego, I gave to the pueblo the said Saint and called the said mesa 'of San Diego de al monte y nuestra Señora de los Remedios.'" Thus the advocacy of the Jémez patron saint was transferred to the Cañon site—but under a different title.<sup>43</sup>

With Fray Francisco de Jesús, the one assigned to this mission, Vargas went to the house which had been provided and appointed for his residence, "and they found it ample in every respect for the official and household needs of four Religious."<sup>44</sup> Without doubt the Indians built at this time the modest church of which parts may still be seen.

As for the "newly added pueblo" of those living on "the mesa of San Juan," the *autos* of September 1694 describe only the electing of their officers. Apparently Vargas

42. *Ibid.*, f. 317. Note that the upper, or second, mesa is here called "the mesa of San Juan."

43. *Ibid.*, f. 321. In later *autos* some variations of the new title occur: "el pueblo de San Diego de al monte" (M. N. M., Sp. Archs., no. 59, f. 8v.); "el pueblo de la messa de San Diego del Monte" (*ibid.*, f. 19); and also the old form, "el pueblo de San Diego de los Hemes," coupled with the title of the other pueblo still on the upper mesa, "el pueblo de San Juan de los Hemes" (*ibid.*, f. 11).

It must have been at about this time that two remarkable paintings appeared (miraculously, in the simple faith of the Jémez people even today) upon the sheer walls of the towering *peñol*. On the eastern wall may still be distinguished the gowned form of San Diego and below (but small in proportion to the saint) is the profile of a burro—thus indicating symbolically "San Diego de los Jémez."

On the western wall, near the entrance to Virgin cañon, is a painting of the Virgin; but in the course of centuries her title has been metamorphosed from "de los Remedios" (protectress of the Spaniards) to "de Guadalupe"—the Virgin of the native American race.

Jémez tradition, of which there are two versions, connects the miraculous "appearing" of San Diego with the battle of July 24, 1694. The reader may doubt the miracle, yet he is apt to gaze with awe at the incredible achievement of those paintings

44. A. G. N., Historia 39, f. 322.

allowed them to delay their promised move back to the old "San Diego" site until the following spring.<sup>45</sup> They may have delayed even then,<sup>46</sup> but at least the change had been made before March of 1696, as is revealed by the *autos* of that time. Probably some time in 1695 the Jémez refugees had been brought back from the "mesa of San Juan" and established at the site of old "San Diego." At the same place where Fray Arvide, nearly seventy years before, had founded the mission San Diego de la Congregación there now stood, for a few brief months, the mission of San Juan de los Jémez in charge of Fray Miguel Tirzio.

For a year and a half, since September 1694, most of the missionaries had been at their posts without the escort-guards which they were intended to have, and early in 1696 there were premonitions of disaster unless this state of affairs was changed. On March 7th, the custodial chapter gave Vargas a formal request for such guards. Vargas replied that he had only a few soldiers available for such duty and asked for a statement of what each missionary felt he should have.<sup>47</sup>

In the custodian's reply of March 13, Fray Miguel Tirzio, minister of the mission of San Juan de los Xemes, asked for eight or ten well-armed soldiers because he was on the frontier; Fray Francisco de Jesús, minister of the pueblo of San Diego de los Xemes, seemed satisfied with four soldiers whom (he said) Vargas had left him.

45. In a letter dated Jan. 10, 1695, replying to the viceroy who wanted to know how many pueblos had been reduced, Vargas said of the Jémez pueblos: "En la Mesa de San Juan se halla tambien Poblada la mitad de dha Nazion queres del Pueblo de Stº Domingo y la otra mitad de la Nazion de los Gemes que tiene su Pueblo en la Mesa de San Diego con su Ministro cuya feligresia se compone de 405 persons Y tengo nombrado Alcalde mºr y capn a guerra . . . *Ibid.*, f. 381.

46. In September 1695, Vargas was not in Santa Fé when the alarming news came that there were French "on the plains of Cibola." He was out "en la visita de los queres y Gemes de la cordillera"—which perhaps meant that he was putting pressure on the pueblo of San Juan.

47. This was his analysis: of the 100 soldiers in the presidial force, two squads of 30 each had to guard the horse-herd; 10 guarded the gate of the *villa*; two squads of 12 each were going with the pack-train to El Passo—leaving 4 available. M. N. M. Sp. Archs., no. 59, f. 6.

Vargas next offered to supply twenty-four guards at his own expense, to be stationed, four each, at six strategic or exposed points. He offered none for Zía, as the padre there could have the help of the *alcalde mayor* and the eight soldiers whom he offered for the two Jémez pueblos; San Juan being only *two* leagues away and San Diego *four* leagues from Zía.

On March 22, the custodial chapter reported to Vargas the replies of the missionaries to his proposal.<sup>48</sup> Thoroughly alarmed at the general danger which seemed to them now so threatening, they begged Vargas to close the missions and remove all property until better protection could be afforded. The governor replied on the same day, again analyzing the situation and showing how each mission could best be maintained under the circumstances.<sup>49</sup> As is well known, only two months later came the last Pueblo outbreak, with the death of five of the missionaries and twenty-one other Spaniards. What happened in the Jémez country can be briefly told.

On June 12, 1696, the Pecos governor brought to Santa Fé two prisoners, one of whom was "an Indian of the mesa of San Diego de los Gemes called Luís Cunixu" who had

48. From the two Jémez missionaries came these replies:

El P. Predicador, Fray Francisco de Jesus, ministro presidente del Pueblo de San Diego de los Hemos, dize, que a V. S. dijo, y pidió para su seguridad todo el precidio, y no siendo posible (como V. S. respondió) dize, que no vino a buscar la muerte sino la Vida espiritual destes pobres, y assi, que no yra, y que si acaso le llamaren administrar, yra conociendo moralmente el que puda yr, y que no teniendo escolta procurara ponerse en saluo.

El P. Predicador, fray Miguel Tirzio, ministro, presidente del Pueblo de San Juan de los Hemes, dize que ni doze ni catorze hombres son suficientes, y que si V. S. da sinquenta hombres para Hemes y Sia, assistira con todo gusto, que lo demas es yr al peligro de la muerte sin esperanza de fruto en sus almas. *Ibid.*, f. 11.

49. Vargas' plan for the Jémez missions was thus stated:

. . . y en quanto a los Reverendos Padres de los Pueblos de San Juan de los Xemes y de el de la mesa de San Diego del Monte [fr. Miguel Tirzio y] fr. Francisco de Jhs con los quatro hombres que a cada Vno ofrezí darles pueden asegurarse pasandose el dho Padre (fr. Francisco) al dho Pueblo de San Juan y Vnida la dhe gente con el alcalde mayor desde dho Pueblo passar ala administrazion de los Santos Sacramentos hallandose a Vna legua larga de distanzia y dho Padre fr Miguel Tirrsio de dho Pueblo de San Juan puede de esta suerte hallarse resguardado como asegurado Juntamente con la dha escolta Vnida en dho Pueblo de San Juan estando en el el suo dho Padre fr. Francisco de Jhs y de esta suerte onesta la mundanza del ganado q. tubiere y goza de sus bastimientos para su sustento.



entered Pecos the day before carrying a reliquary as proof that Fray Francisco de Jesús had been killed. It contained various relics, including a piece of the *lignum Crucis* and an *ecce homo*.

He was immediately examined. Asked what Spaniards were with the father guardian, he said that the father was alone and that the interpreter had gotten him out on the pretext that he should go to confess an Indian woman, and that between the said interpreter and a war-captain they had killed him. Asked as to what the father said when they seized him, he said that he called on God our Lord and on the Most Holy Virgin that she would aid and shield him; and that immediately they clubbed him to death, and that they downed him in the plaza and threw his body in the door of the church. Also that the Spaniard who happened to be in that pueblo was taken out on pretext that he should go for a walk in the orchard<sup>50</sup> and that there they killed him. Asked what they did with the two women who were then in that pueblo together with two boys, he said that the governor took the women, saying that they were his servants, and that the interpreter Francisco had the boys, one being a son of Capt. Juan Olguin and the other of Francisco de Apodaca. He also stated that "Diaguillo" had killed an Indian named Cristobal because he was friendly with the Spaniards, could talk Castilian, and was tale-bearing. Asked how many Spaniards were killed in "the old pueblo of San Juan"<sup>51</sup> he said that they had killed the *alcalde mayor* Capt. Juan Olguin and Melchor Trujillo, and that it was Diaguillo who did it. And who had sent him with the reliquary to Pecos? "The governor of the pueblo of the Xemes."<sup>52</sup>

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50. Until recent years trees of this orchard were still standing in Guadalupe cañon.

51. San Juan is here called "the old pueblo" because it was on the site of the first San Diego.

52. After some further questioning this prisoner and two others were taken out and executed by three shots of an arcabus. Governor Vargas solemnly pronounced the death sentence, "in his Palace in the Villa of Santa Fé, standing as when holding an

In this outbreak of 1696 the Jémez of "San Diego de al monte" abandoned their pueblo on the first mesa and retreated to the *peñol*. Here they drove off a vigorous attack made by Don Fernando de Chávez,<sup>53</sup> but they lost thirty-two warriors. The survivors then abandoned the *peñol* also and fled, scattering (according to later investigation by the Spaniards) some through the Valles region, and beyond to Cochití and even to Taos; other northwest to the "Apaches de Navajo," to Hopi, to Acoma. Some fled at first only to "the pueblo of the mesa of San Juan" which lay three leagues (eight miles) north of the *peñol*. To this retreat fled also some of the Jémez who at this time completely abandoned the San Juan mission. A hundred and one Jémez were said to be in the pueblo on San Juan mesa, but when a scouting party investigated, it was found completely deserted—and all the *coscomates* (storage places for corn) were empty.

The Spaniards sought in vain throughout the mountains and cañons for pueblos—and for hidden corn. They saw only one Jémez warrior, who (from a safe distance) told them that his people wanted nothing more to do with the Spaniards; that when the *elotes* (green corn) was finished, they were going to the Apache country to live. When Vargas wrote to the viceroy late in November, 1696, he had to list the Jémez pueblos as two of the five which had not yet been "reduced."

Another decade was to pass before the present pueblo of Jémez was reestablished on the old site of San Diego de la Congregación. Apparently not before 1703 were any of the fugitives won back; others were found in the Navaho

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53. M. N. M., Sp. Archs., no. 60b, f. 86.

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audience, with his hat upon his head, with belted sword, and in his hand his wand as governor and captain general." M. N. M., Sp. Archs., 60a, ff. 35-51.

Some details of the martyrdom of Fray Francisco survive in Jémez tradition. In 1849 the governor told Lieut. Jas. H. Simpson "that, when living upon the *mesa* between the cañons of Guadalupe and San Diego, there came another padre among them, whom, whilst on his way to receive the confessions of a sick man, they killed." Simpson, *Journal of a Military Reconnaissance from Santa Fé to the Navajo Country* (1852), 22.

country in 1705, "but they did not return then." But finally in 1706, under the titular advocacy of San Diego, some of the Jémez people who had survived the vicissitudes of the rebellion and reconquest were home again. Sadly reduced in numbers, they were the remnants of the two deserted pueblos of San Diego al Monte and San Juan de los Jémez.<sup>54</sup>

#### A BIT OF TRADITION

Having decided from documentary sources that "San Diego de la Congregación" was on the site of the present pueblo, the writer recently inquired of a Jémez friend whether his people knew just where the old church and convent stood. "Juan, many years ago your people told me that the old men had burned down the older pueblo which was here—that they held blazing torches to the vigas of the houses, while the women and children stood across the river and watched the terrible fire. Do you know, did they burn the church at that time?" "I don't know; the old men did not say." "Well, do you know where the old church and convent stood *before* the church which you have now?" "Why, yes," he replied, "I'll show you."

54. The name "San Juan" appears in the records as late as 1716 when 123 more Jémez refugees came back from Hopi-land. See "The Martínez Campaign against the Moquis," in *N. M. HIST. REV.*, VI (1931), 153-226.

C. W. Hackett, *Bandelier: Historical Documents*, 366-381, *passim*, gives us several items from the year 1706. One of those who could talk Castilian was the governor of "San Diego de los Xemes," Don Luis Conitzu. (Was he by any chance a son of Luis Cunixu above, executed in June 1696?)

Again, the Custodian, Padre Fray Juan Alvarez, writing from Nambé on January 12, 1706, speaks of Jémez as "five leagues" (13 miles) from Zia. The distance suggests that the first effort to restore a Jémez mission was made at "San Diego al Monte" in Cañon. Unfortunately the Bandelier transcript regarding Jémez is fragmentary:

"In the mission of San Diego, composed of Xemes . . . Indians and distant from Santa Fe 34 leagues, is Father Fray Agustin de Colina. There is no bell, and only one old ornament and an old missal; there are no vials. The church is being built. There are about 300 Christian Indians . . . and others keep coming down from the mountains, where they are still in insurrection."

Lastly (p. 381) in a report dated "Santa Fe, August 18, 1706" the governor included in a list of places named: "San Diego y San Juan de los Xemes."



The place to which he took me is an open space just east of the *acequia madre* over which anyone passes in going down to the present home of the Franciscan fathers. Perhaps sometime the archaeologist can tell us whether these are the ruins of the San Juan mission, or of the earlier San Diego de la Congregación, or of the earliest Salmerón church—or perhaps of all three. Meanwhile anyone who pauses beside this low mound of melted-down adobe can realize that he is near the spot where Fray Juan de Jesús was martyred; where in 1672 the missionaries of all New Mexico gathered in council; where in 1661 the unfortunate and distraught Fray Miguel Sacristán hanged himself; where in 1639 Fray Diego de San Lucas was killed in a Navaho attack.

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When the following document was written, doubtless the Jémez valley was as beautiful as it is today. The population of the pueblo must have been approximately 1,000 souls, and the houses rose, at least in some parts, to four stories high. In the midst of "the first plaza" stood the church, and hard by was the convent which was said to be "the finest in all New Mexico."<sup>55</sup> In 1672 it was the residence of the Father Custodian and the center of missionary work in the entire province.

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55. A. G. N., Tierras 3268, f. 286v.

## II.—TEXT

IN NOMINE DOMINI NOSTRI IESUCHRISTI HAEC EST  
CAPITULARIS<sup>1</sup> HUIUS ALMAE CUSTODIAE<sup>2</sup> CONVERSIONIS  
SANCTI PAULI NOVI MEXICI.

In diffinitorum<sup>3</sup> electionis, et ministrorum institutiones, qui ut Servi in Domino, et Religiosi, necnon animarum Salutis Cupidi, et fervidi Super novum gregem Domini Nostri Iesuchristi, verbo, et exemplo ipsum diligenter, pascant, Longe, Lateq, fidem Catholicam amplificent propagandam—Electio fuit Canonice Celebrata in hoc Nostro Capitulari Conventu<sup>4</sup> Sancti Didaci de Hemez Pressidens ad Capitulum R<sup>du</sup>s Pater frater Nicolaus Lopez, Predicator Iubilatus<sup>5</sup> et Custos huius Almae Custodiae, Congregatis omnibus Vocalibus,<sup>6</sup> electi constitutiq.:

Sunt Patres Emeriti -----  
In Primis Igitur electi sunt in Diffinitores Reverendos  
Patres

Patrem fratrem Andream Duran.  
Patrem fratrem Ioannem Bernal.  
Patrem fratrem Philippum Montes.  
Patrem fratrem Ioannem Galdo.

In Ministros, et Guardianos,<sup>7</sup> Sunt electi:

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(We are indebted to the Rev. Father Theodosius Meyer, O.F.M., of Lumberton, New Mexico, for assistance in translating some technical terms according to the usage of Franciscan friars.)

1. *Capitulum* ought to mean Chapter. *Tabula capitularis* here means the record of the meeting of the governing board of the Custodia. The Franciscans also call it "*tabula definitionis*" or Chapter Paper.

2. *Custodia*, a district containing at least eight monasteries was called a Province. Those which had fewer monasteries were called Custodies.

3. *Diffinitor*, definer, or consultor. These constituted the Chapter board of control, which in a *Custodia* consisted of the *Custos* (Vice-Provincial, Superior, or Prelate) and four consultors.

4. *Conventus*, a monastery. The term monastery was used by the Franciscans to designate a church-residence which had at least four priests to say the Divine Office in Choir. At times some of the missions (e.g., Acoma) were actually monasteries, but most of the stations were really rectories—a term applied to places which had fewer than four priests. I have used the term "Mission" throughout to designate the various stations, as that term is familiar to all readers.

## III.—TRANSLATION

IN THE NAME OF OUR LORD JESUS CHRIST, THIS IS THE RECORD OF THE MEETING OF THE GOVERNING BOARD <sup>1</sup> OF THE MOTHER CUSTODY <sup>2</sup> OF THE CONVERSION OF ST. PAUL OF NEW MEXICO.

For the election of Diffinitors<sup>3</sup> and installation of pastors who, as servants of our Lord Jesus Christ, shall by word and example feed the same, and far and wide shall propagate and extend the Catholic faith—An election was held in accordance with Canon Law in this our Chapter Mission (*Conventu*)<sup>4</sup> of San Diego de Jémez, with the Rev. Father friar Nicolás López, preacher *jubilatus*,<sup>5</sup> presiding, who is also the Superior of this Mother Custody, [and] with all assembled who are entitled to vote.<sup>6</sup> Elected and constituted:

The Fathers *Emeriti* (retired or superannuated)  
are ----- (blank)

First, there were elected as Diffinitors the Reverend Fathers

Father friar Andrés Durán  
Father friar Juan Bernal  
Father friar Felipe Montes  
Father friar Juan Galdo

As Pastors and Rectors,<sup>7</sup> there were chosen:

5. *Predicator Jubilatus*, a preacher who has celebrated his jubilee—fifty years in service.

6. *Congregatis omnibus Vocalibus*. This phrase is translated in the usual way according to construction; but in view of the apparent absence of Fray Andrés Durán and others, it might be translated: "all who had assembled being entitled to vote."

7. *Guardianus* and *minister*. These terms indicate different functions of the priest in charge. *Guardianus* was the title of the friar in charge of the monastery. In as much as a place which had fewer than four priests was called a "Rectory," I have translated *Guardianus* as "Rector," the one who was the Superior in his capacity as the head of the group of priests stationed in one place. *Minister* (Latin) refers to the functions of a priest in relation to the cure of souls (*cura animarum*). He said Mass, baptized and married the living, and buried the dead. I have translated *Minister* as Pastor (the Shepherd of the flock).



- In hoc Almo Capitulari Conventu Sancti Didaci de Hemez, Guardianus, et minister, Pater frater Thomas de Torres ----- Instituitur.
- In Conventu Sancti Dominici, Guardianus, et minister, Pater frater Ioannes del Val ----- Instituitur.
- In Conventu Assumptionis de Tzia, Guardianus, et minister, Pater frater Philippus Pacheco -- Instituitur.
- In Conventu Conceptionis de la Villa, Lector,<sup>9</sup> et minister guardianus, Pater frater Ioannes del Hierro ----- Instituitur.
- In Conventu Sancti Ildefonsi, Guardianus et minister, Pater frater Andreas Duran ----- Instituitur.
- In Conventu Sancti Francisci de Sandia, guardianus et minister, Pater frater Franciscus Muñoz -- Instituitur.
- In Conventu Sancti Antonii de la Ysletta, Guardianus et minister, P<sup>r</sup> fr. Franciscus Gomez de la Cadena ----- Instituitur.
- In Conventu Sancti Marci, Guardianus et minister, Pater frater Franciscus Antonius Lorenzana ----- Instituitur.
- In Conventu Sanctae Mariae Angelorum de Pecos, Guardianus et minister, frater (*sic*) Ludovicus de Morales ----- Instituitur.
- In Conventu Conceptionis de Quarac, Guardianus et minister, Pater frater Didacus de Parraga -- Instituitur.
- In Conventu Sancti Michaelis de Taxic, Guardianus et minister, Pater fr. Sebastianus de Aliri --- Instituitur.
- In Conventu Sanctae Mariae del Socorro, Guardianus et minister, Pater frater Ferdinandus de Velasco ----- Instituitur.
- In Conventu Sancti Antonii de Senecu, Guardianus et minister, Pater frater Iosephus de Paredes ----- Instiuitur.
- In Conventu Sancti Stephani de Acoma, Guardianus et minister, Pater frater Lucas Maldonado --- Instituitur.
- In Conventu Sancti Ioannis, Guardianus et minister, Pater frater Philippus Montes ----- Instituitur.

- In this Mother Mission of San Diego de Jémez, as rector and pastor, Father friar Thomás de Torres \_Installed.<sup>8</sup>
- In the Mission of Santo Domingo, as rector and pastor, Father friar Juan del Val (Bal) \_\_\_\_\_ Installed.
- In the Mission of The Assumption of Zía, as rector and pastor, Father friar Felipe Pacheco \_\_\_\_\_ Installed.
- In the Mission of The Conception of the Villa [Santa Fé], professor of theology,<sup>9</sup> and pastor-rector, Father friar Juan del Hierro \_\_\_\_\_ Installed.
- In the Mission of San Ildefonso, as rector and pastor, Father friar Andrés Durán \_\_\_\_\_ Installed.
- In the Mission of San Francisco of Sandía, as rector and pastor, Father friar Francisco Muñoz \_\_ Installed.
- In the Mission of San Antonio of Isleta, as rector and pastor, Father friar Francisco Gómez de la Cadena \_\_\_\_\_ Installed.
- In the Mission of San Marcos, as rector and pastor, Father friar Francisco Antonio Lorenzana \_\_ Installed.
- In the Mission of Santa María of the Angels of Pecos, as rector and pastor, friar Luís de Morales \_\_Installed.
- In the Mission of The Conception of Quarac, as rector and pastor, Father friar Diego de Parraga \_\_Installed.
- In the Mission of San Miguel of Tajique, as rector and pastor, Father friar Sebastián de Aliri \_\_\_\_\_ Installed.
- In the Mission of Santa María of Socorro, as rector and pastor, Father friar Fernando de Velasco \_\_\_ Installed.
- In the Mission of San Antonio of Senecú, as rector and pastor, Father friar José de Paredes \_\_\_\_\_ Installed.
- In the Mission of San Estévan of Ácoma, as rector and pastor, Father friar Lucas Maldonado \_\_\_\_\_ Installed.
- In the Mission of San Juan, as rector and pastor, Father friar Felipe Montes \_\_\_\_\_ Installed.

8. *Instituitur*. These notations at the right margin are in a different handwriting, apparently that of the custodian's signature. He may have added the notations later.—L. B. B.

9. *Lector*. He was a professor of theology or philosophy.

- In Conventu Sancti Gregori de Abo, Guardianus et minister, Pater frater Ildefonsus Gil de Avila\_\_ Instituitur.
- In Conventu Sancti Laurentii de Pecuriez, Guardianus et minister, Pater frater Antonius de Sierra Instituitur.
- In Conventu Sancti Hyeronimi de Taoz, Guardianus et minister, Pater frat. Antonius de Mora\_\_ Instituitur.
- In Conventu Sanctae Crucis de Galisteo, Guardian<sup>o</sup> et minister, P<sup>r</sup> fr. Ioannes Bernal, Commissarius Sancti Officii <sup>10</sup> \_\_\_\_\_ Instituitur.
- In Conventu Sancti Francesci de Nambe, Guardianus et minister, R<sup>dus</sup> Pater frater Ioannes Zamorano \_\_\_\_\_ Instituitur.
- In Conventu Conceptionis de Alona, Guardianus et Minister, Pater frater Ioannes Galdo \_\_\_\_\_ Instituitur.
- In Conventu Purificationis de Ahuicu, Guardianus et Minister, Pater frater Petrus de Ayala \_\_\_ Instituitur.
- In Conventu Sancti Michaelis de Oraybi, Guardianus et Minister, Pater fr. Iosephus de Espeleta \_\_\_ Instituitur.
- In Conventu Sanctae Annae del Alamillo, Guardianus et Minister, Pater frater Salvator de San Antonio \_\_\_\_\_ Instituitur.
- In Conventu Sanctae Mariae de Guadalupe, Guardianus et Minister, Pater fr. Benedictus a Nativitate \_\_\_\_\_ Instituitur.

CONCIONATORES<sup>11</sup> erunt:

- In Conventu Conceptionis de la Villa, Pater fr. Ioannes del Hierro.
- In Conventu Sancti Francisci de Sandia, R<sup>dus</sup> (*sic*) Pater frater Ioannes de Iesus.
- In Conventu Sancti Antonii de la Ysletta, Pater frater Franciscus Gomez de la Cadena.

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10. A *comissarius* is defined as an Apostolic emissary by authority of the Pope. In Franciscan usage this title was given to the head of a band of missionaries going to an unevangelized region; but it was also given to the missionary who was placed in charge of the caravan service of supplies. *Comissarius Sancti Officii*, commissioner of the Holy Office (the Inquisition); such an official was stationed in New Mexico from 1598 until nearly the end of Spanish rule.



- In the Mission of San Gregorio of Abó, as rector and pastor, Father friar Alonso Gil de Ávila ---- Installed.
- In the Mission of San Lorenzo of Picurías, as rector and pastor, Father friar Antonio de Sierra-- Installed.
- In the Mission of San Gerónimo (Jerome) of Taos, as rector and pastor, Father friar Antonio de Mora ----- Installed.
- In the Mission of Santa Cruz (the Holy Cross) of Galisteo, as rector and pastor, Father friar Juan Bernal, commissioner of the Inquisition<sup>10</sup>-- Installed.
- In the Mission of San Francisco of Nambé, as rector and pastor, the Rev. (*sic*) Father friar Juan Zamorano ----- Installed.
- In the Mission of The Conception of Alona, as rector and pastor, Father friar Juan Galdo ----- Installed.
- In the Mission of The Purification of Hawikúh, as rector and pastor, Father friar Pedro de Ayala ---- Installed.
- In the Mission of San Miguel of Oraibi, as rector and pastor, Father friar José de Espeleta ----- Installed.
- In the Mission of Santa Anna of Alamillo, as rector and pastor, Father friar Salvador de San Antonio Installed.
- In the Mission of Santa Maria of Guadalupe, as rector and pastor, Father friar Benedicto de la Natividad ----- Installed.

The following shall be MISSIONARIES:<sup>11</sup>

- In the Mission of The Conception of the Villa [Santa Fé], Father friar Juan del Hierro.
- In the Mission of San Francisco of Sandía, the Rev. (*sic*) Father friar Juan de Jesús.
- In the Mission of San Antonio of Isleta, Father friar Francisco Gómez de la Cadena.

11. *Concionator*, a special preacher, generally called missionary, who preached missions, similar to revivals in other denominations.

Et Vt animae infidelium noviter educatae, et Cathedizatae, habeant Patres, qui dividant Panem, tamquam ac Paruulos, et frangant Spiritu Appostolico, Divinam Legem, signamus, et Constituimus Commissarios Appostolicos<sup>10</sup> autoritate Pontificia :

In Converssione<sup>12</sup> nominata Cogninas, Patrem fratrem Iosephum de Espeleta et Patrem Iosephum de Trujillo.

In Converssione nominata de Manssos, Patrem fratrem Benedictum a Nativitate; et Patrem fratrem Ioannem Albarez.

Et in Converssione nova nominata Summas, Reuerendum Patrem fratrem Ioannem de Talaban, Patrem huius Custodiae; et Patrem fratrem Nicolaum Hurtado.

Et ego frater Nicolaus Lopez Predicator Iubilatus, et huius Almae Custodiae Custos, q. (qui) Prefui huic Capitulo Custodiali, et omnia disposita Canoniceq. Diffinita, autoritate qua fungor, Ratione mei muneris, et Statutorum Nostri ordinis et privilegiorum nostrorum, Confirmo, et discerno astantibus, etiam, et subscribentibus Patribus Diffinitoribus, qui predictis electionibus, ascensunt (conj: assensum) Prebuerunt: Omnibus precepimus per Sanctam obedientiam, in Virtute Spiritu Sancti sub pena excommunicationis maioris, nemo sit ausus Renuntiare dicta officia, Vel ministeria, nisi transactis Duobus mensibus,<sup>13</sup> ne incidamus in defectum, nostri muneris, quod est Satisfacere ad Regalem Votum Nostri Catholici Regis Caroli Secundi, quem Deus Custodiat ad nostram Defensionem et Vtilitatem, tam quam Legatum a Latere Summi Pontificis, et ad Comunem bonum animarum fidelium, et infidelium huius novi orbis. Datum in hoc Almo, et Religioso nostro Conventu Sancti Didaci de

12. *Conversio*, a missionary station or outpost. This title is here given to the missionary stations which were to serve the unconverted Indians west of Oraibi and near, and below, "Paso del Norte"—where the mission of "Santa Maria of Guadalupe" was located.

13. *Nisi transactis duobus mensibus*, "No one shall refuse the said duties or ministry, except after the lapse of two months." The friars were obliged to go to their posts and remain there for two months, after which they might ask the *Custos* to be transferred if, say, conditions appeared to be hopeless.

And, that the recently taught and catechized souls of the unbelievers may have Fathers to feed them with the Bread [of Life] and to impart to them as little children the Divine Law in true Apostolic spirit, we designate and constitute Apostolic Emissaries<sup>10</sup> with papal authority:

In the Missionary District<sup>12</sup> named "Coconinos," Father friar José de Espeleta *and* Father friar José de Trujillo.

In the Missionary District named "Manssos," Father friar Benedicto de la Natividad *and* Father friar Juan Álvarez.

And in the new Missionary District named "Summas," the Rev. (*sic*) Father friar Juan de Talabán, a father of this Custody, *and* Father friar Nicolás Hurtado.

And I, friar Nicolás López, Preacher *Jubilatus* and Superior of this Mother Custody, who presided over this meeting of the Governing Board of the Custody (and everything was done and settled in accordance with Canon Law), by virtue of the authority which I bear by reason of my position and of the Statutes and privileges of our Order, DO CONFIRM and ratify to all present and to all the Father Diffinitors subscribing [their names hereto] who have given assent to the aforesaid elections: [that] we have enjoined upon all by their holy obedience, in the power of the Holy Spirit, under penalty of major excommunication, that no one shall dare to renounce said assignments or ministries, unless after the lapse of two months,<sup>13</sup> lest we fall into default of our duty, which is to fulfil the royal vow of our Catholic King, Charles II, whom may God preserve to our defense and advantage, as a personal representative, as it were, of the Supreme Pontiff, and to the common good of faithful souls, and the souls of the unbelievers of this new world. Given in this the Mother Mission of our Religion (Order), San Diego de Jémez, this thirteenth day of August



Hemez, TerciaDecima die Augusti, Anno Domini millesimo  
Sexcentissimo Septuagessimo Secundo.

Frater Nicolaus Lopez  
Custos (rubric)

Fr. Phelippe Montes  
Diffinitor (rubric)

Frater Andreas Duran  
Diffinitor (rubric)

Frater Ioannes Bernal  
Diffinitor (rubric)

in the year of Our Lord one thousand six hundred and seventy-second.

Friar Nicolás López  
Custodian (rubric)

Friar Felipe Montes  
definitor (rubric)

Friar Andrés Durán  
definitor (rubric)

Friar Juan Bernal  
definitor (rubric)

E. DANA JOHNSON

June 15, 1879—December 10, 1937

THE WIDE-SPREAD consternation that greeted Dana Johnson's resignation from the *Santa Fe New Mexican* on July 1, 1937, was immediate and spontaneous. It was as if, for New Mexico, one of the major planets had dropped out of the sky, and when, through his morning column in the *Albuquerque Journal* and his weekly page in the *New Mexico Sentinel*, the planet was yanked back into place, albeit with a more comet-like freedom, it seemed as if the order of the Universe had been restored—all, alas, too briefly and too comet-like!

In the short interval between his old editorial duties and his new ones, Dana Johnson had the unexpected opportunity of realizing the love and esteem in which he was held by his contemporaries. From the letters and newspaper comments that poured in, he had a chance, which few men have while still living, to realize how much his work meant and how much it was appreciated. Many of these "fan letters" and comments, to which he laughingly referred as "obituaries," were included in his column in the *Albuquerque Journal*. Although accepted with his usual gaiety and lack of self-conceit, there can be no doubt that these tokens of appreciation served as a stimulus to new vigor and creative power. He was at the peak of the crest, and full of plans for personal literary work when unaccountably stricken.

Characteristically, when the news of his death came, and his old staff on the *Santa Fe New Mexican* struggled with numb sorrow to "get out the news," it was Dana's own semi-humorous, self-styled "obituary," written a short time before as an autobiographical note for the *Sentinel*, that served as the most moving testament of his life and spirit. Because this gives so much of his typical quality, it is here reprinted (p. 125). In the way of bare chronological facts, not much may be added to it. Much should be added by way



of comment and expansion, but a true evaluation of the man can not be written in a hurry.

The sense of his dynamic spirit, his unique quality as editor and man, exists today in the memory of his friends and foes—though it may be doubted if Dana had any real foes in a personal sense. What his loss means, although realized today, will undoubtedly be realized more in the years to come. For the present, one can only say that his place cannot be filled, not only for personal reasons, but for reasons which have to do with changing conditions in the world of journalism.

The death of Dana Johnson closed a brilliant career, as well as an epoch in New Mexican, or Southwestern, journalism. He was one of those rare editors whose personal qualities are so reflected in the papers they edit that the two are inseparable in public thought. He put a personal impress on every page of his paper and on every line he wrote. In these days of large-staffed editorial writers on metropolitan papers, standardized teletyped news, syndicated columns of individual opinion, and chain-newspapers, this type of editor is becoming increasingly rare. On the small-town or state paper, where the type might still be supposed to flourish, perhaps the one remaining exemplar of national repute is William Allen White of *The Emporia Gazette*—with whom Dana Johnson had much in common. The cause of this dearth may be traced, not only to the changing conditions noted, but to the lack of just such personal qualifications of cultural background, broad-minded liberalism, and literary brilliance as Dana Johnson possessed in high degree.

Historically, Johnson's editorial career—on the *Albuquerque Journal*, the *Albuquerque Herald*, and the *Santa Fe New Mexican*—from 1902 to 1937—spanned the late Territorial days, the struggle for a liberal constitution and statehood, and, after statehood, the struggle for good progressive government. It spanned also the successive changes in our tri-racial social scene, in which he took such keen and de-

voted interest. Coming to New Mexico from the East, with a cultural background, he viewed the scene from the outside as well as the inside—that inside part of New Mexico which he knew and learned to love so well. And it is worth noting that his residence in New Mexico was by choice, not necessity—not reasons of business, political appointment, or health which brought so many Easterners to New Mexico in Territorial days. Dana, who came to New Mexico on a visit to his cousin Douglas Johnson (then an instructor in the University of New Mexico), stayed because he liked it—and he would never willingly have lived anywhere else. If he had stayed in the East, or had returned to it, as he had advantageous offers of doing, his career might have been just as brilliant, or more so from a worldly standpoint; but it could never have counted for more than it did in the community he chose to serve.

A native New Mexican, in every sense except of having been born here, whatever concerned New Mexico concerned him—vitaly, intimately, personally. His service can't be duplicated, because of his multiple composite qualifications of mind and heart, and that is why his going closed an epoch of New Mexican journalism—meaning journalism in the best sense of the word—not news to be dished out, but news to be interpreted, correlated and integrated for understanding use and betterment of conditions. I think that was his ideal. If he failed or offended, he was sorry. He did not willingly offend, except in politics, where he meant to offend on principle, but impersonally and out of his inmost convictions as to what was right. He was recognized as a good fighter—which he was—and this was particularly so because he was a past master of witty, satiric invective—against which his opponent usually had no adequate defense. Although relentless for the sake of a Cause in the use of this rapier-like weapon, he was without personal malice, and few, if any, of his opponents bore him personal malice. He was a good adversary, and almost anyone would rather have a good adversary than a namby-pamby friend. That

is why some of his former opponents now say that with his death the "punch" has gone out of everything.

For all that, politics was not his primary and essential interest. He was always glad when a campaign was over, and he could go back to writing about the things he cared for—particularly every phase of life in New Mexico, its landscape, highways and byways, small Spanish villages, natives and Indians, Saints and Santos, old archives and pioneer narratives, burros and road-runners, and all the traditional customs, folk-lore and folk-song, fiestas, and architecture that make up composite New Mexico. (If Dana were here, he would mention a lot of things left out!) There was scarcely any phase of civic or cultural activity in which he did not have a hand.

One remembers countless instances in which it was his pen that carried the day—as for instance the saving of the Sanctuario at Chimayó. Gustave Baumann phoned a friend one day to say that he had discovered that the beautiful old church and its furnishings were being sold piece-meal; the small Santiago on horseback was in the hands of one curio-dealer, and the historic carved doors were being bargained for by another. What could be done about it? The answer was, of course, "Tell Dana Johnson," and Dana came out with a spread that carried to the Atlantic coast, where Mary Austin, lecturing at Yale, with Dana's article in hand, interested the anonymous donor who bought and restored the building to the Catholic Church. Similarly, he supported every cause and movement that tended to keep New Mexico, and Santa Fé its ancient capital, a symbol of the races that made it—to preserve its essential character and integrity. Not to keep it different in the sense of just being different, as a sales point, but to be itself; as it is, and was, and as he wanted it to remain. For the Santa Fé plaza and the road along the river-bed, and shade-trees menaced by thoughtless, unnecessary destruction he waged many a fight.

He "tied in" and was one of all the civic and social groups—merchants, archaeologists, artists and writers. His



participation in The Poets' Round-Up was always one of the highlights of that summer event—where he invariably captured the audience with a piece of effective, sparkling light verse—written that morning, or the day before! Briefly, he was interested in life; and the essential gaiety of his spirit, united with an underlying deep seriousness of purpose, was an inspiring stimulus to any group and any cause.

In his office he was never too busy for a visit or a phone call and he always "clicked" immediately in response to any worthwhile suggestion, whether light or serious. Locally, his editorship made his paper not only a medium for town gossip and news, but an open forum for discussion in which everyone shared. As a record of keen delight in day-in and day-out companionship with the man, and a vivid impression of his personality, the tributes written by members of his staff, published in the editorial columns of the *Santa Fe New Mexican* the day after his death, cannot be surpassed.

Other newspaper articles and editorials in the *Santa Fe New Mexican*, *Albuquerque Journal*, and papers throughout the state, cover the highlights of his political career, which it is not necessary to repeat here. His close friendship with the late Senator Bronson Cutting and continuous editorial support of his liberal policies are well known; as is also the celebrated case in which he was sentenced (but never went) to jail, winning instead a court decision heralded as a new victory for the freedom of the press. Incidentally, it may be mentioned that he was a liberal before his connection with Bronson Cutting, and it was doubtless for that reason, as well as for his brilliant literary ability, that Cutting chose him as editor of his paper in 1913.

It may be that Dana Johnson's literary and all-round ability was perhaps not accidental, but a result of heredity. He came of a distinguished early-American ancestry. He was a direct descendant of John Dwight, who founded Dedham, Massachusetts; of Edward Dale, who settled in Lancaster County, Virginia, prior to 1655; and of Captain William Dana, the first settler of Belpre, Ohio, in the West-

ern Reserve territory. In direct line and in collateral branches, there is a noteworthy preponderance of professional vocations—ministers, lawyers, doctors, scientists, historians, and three presidents of Yale. Dana gives an inkling of this background in his autobiography, but seems to have taken most delight in the remote ancestor on his father's side who was a sheriff of Nottingham—wishfully, according to Dana's fancy, the doughty sheriff of Robin Hood fame! His father, David Dye Johnson, a lawyer, came of that early pioneer stock which migrated from Virginia to the Ohio valley.

Dana Johnson was first married in 1908 to Grace Nichol of Albuquerque, who died in 1931; and in 1932 to Mary Eckles of Silver City, New Mexico, who survives him. He is also survived by two brothers, Dr. Dale Johnson of Morgantown, West Virginia, and Dr. Theodore Johnson of Raleigh, North Carolina, and a sister, Miss Frances Johnson of Parkersburg, West Virginia.

ALICE CORBIN HENDERSON.

#### OBITUARY AS WRITTEN BY MR. JOHNSON

*(Written by E. Dana Johnson when he began editing the Plaza Page in the New Mexico Sentinel.)*

I am much flattered at what is practically the first request ever received for my obituary. I trust the photo will be returned, as they are scarce and valuable. I assume this series is a re-incarnation of Men of the Hour in New Mexico, made famous by the late Max Frost.

Born, yes; June 15, 1879 (the year of the Big Burn on Santa Fe Baldy) at Parkersburg, West Virginia. Son of David Dye Johnson, lawyer, and Julia Dale Johnson. Descendant of John Dwight of Dedham, Mass., and other stern and rock-bound New Englanders, on mother's side; a forebear was Captain William Dana, first settler at Belpre, Ohio, in Western Reserve territory, west of the Ohio River. On father's side one ancestor is reliably alleged to have been

a sheriff of Nottingham; whether it was the county politico with whom Robin Hood had such a merry time cannot be stated. Grandfather Johnson was a Virginia farmer, migrated across the mountains to the Ohio Valley. Believe it or not, roster of father's family was as follows:

Enoch and Oke and Ike and Ben, Dave and Bob and Sis and Sam, Bill and Josh (and Dad and Mam) John and Kit and Abraham, Tom and Jerry, the last of the clan.

Educated, if any, at Parkersburg High School, and Marietta College, Ohio; graduated *magna cum laude* in some branches, *mirabile dictu* in others. Phi Beta Kappa and member of N. M. Phi Beta Kappa Association. In bright college years, publisher and editor of college paper, which turned out later to have been a grave mistake, in view of what it led to. Canned after brief employment in tomato factory. Reporter on *Parkersburg Daily State Journal*; migrated to New Mexico in 1902. Rode horseback and covered wagon on camping and trapping trips in various parts of the territory with (now doctor) Douglas W. Johnson, since become crack physiographer of the United States at Columbia; got a job on the *Journal-Democrat* from the late George F. Albright, manager. Under the expert tutelage of the late Charles W. G. Ward and H. B. Hening, inventor of Solos by the Second Fiddle, gradually rose in a spectacular manner to be editor of the *Journal*; later editor of the *Evening Herald*, conducted by remote control from the Palace Hotel in Santa Fe by H. B. Hening and James S. Black, props. Dan MacPherson, *Journal*, early claimed that Johnson could say less in more words than any other reporter known.

Hired out as editor *New Mexican* in 1913 for the late Bronson Cutting but resigned from this temporary post in 1937 upon change of ownership. The job, however, was active while it lasted and afforded the incumbent some diversion. Doubtless the readers of the *Sentinel* could hardly be bothered with the details at this time.



Have laboriously compiled following distinguished career items:

Interlude in 1930—acting mayor of Big Bug, Arizona, and burro-puncher for Alto Gold Mining Company; research into burro psychology when loaded with tram rails or giant powder.

Associate editor *N. M. Historical Review*; president and charter member Santa Fe Kiwanis Club; member of an anti-publicity department for Santa Fe Fiesta Council for some eight years; member and ex-vice-president N. M. Association on Indian affairs for many years; eminent recognition as poet—tolerated as participant in Santa Fe Poets Roundup for several years past. Co-author with H. B. H. of celebrated Albuquerque Boosting Booklets; by the way, aided the late Pete McCanna, W. T. McCreight, Maynard Gunsul, J. H. O'Reilly *et al* in ballyhooing Territorial Fair when it was greatest Show on Earth. Permanently amateur golfer, enthusiastic but unsuccessful fisherman and hunter; married; junior warden Episcopal Church of Holy Faith; Old Santa Fe nut; hobby is old Spanish customs, architecture, folklore, songs; member of Gene Rhodes cult, and of his memorial commission. Occasional short stories and articles have accidentally gotten into magazines . . . *requiescat in pace* . . .

P. S. No joiner, but was once inveigled by the late Bill McGugin of Albuquerque into joining the Order of Owls.

*Santa Fe New Mexican,*

December 10, 1937.

In the *Abuquerque Morning Journal* of Dec. 11, 1937, William A. Keleher told the following incident:

“Johnson was a master of English. He had no peer in the Southwest when it came to the flow of adverbs and adjectives.

“His wit and humor were a bit grim, and he was inclined to be satirical and a bit of a sharpshooter at people

and things at times, but he never intended to be malicious or to leave a sting.

"Dana Johnson had plenty of courage and always personally stood behind the editorial pronoun "we." He always preferred to do his talking from the editorial column and it was almost impossible to get him to make a speech in public.

"Johnson, however, stepped out of his editorial writing role in Albuquerque on Feb. 26, 1928, at a mass meeting in the Armory, when James A. Reed, then United States senator from Missouri, criticized Dana's boss, Bronson Cutting, owner of *The Santa Fe New Mexican*, who had only recently been appointed to the Senate by Gov. Richard Dillon.

"Johnson, standing in the back of the Armory, challenged the statements and the two engaged in a brief sally."

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# NEW MEXICO HISTORICAL REVIEW

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No. 2

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PALACE OF THE GOVERNORS

PUBLISHED QUARTERLY BY  
THE HISTORICAL SOCIETY OF NEW MEXICO  
AND  
THE UNIVERSITY OF NEW MEXICO

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# NEW MEXICO HISTORICAL REVIEW

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# The Historical Society of New Mexico

(INCORPORATED)

*Organized December 26, 1859*

## PAST PRESIDENTS

- 1859 — COL. JOHN B. GRAYSON, U. S. A.  
1861 — MAJ. JAMES L. DONALDSON, U. S. A.  
1863 — HON. KIRBY BENEDICT  
*adjourned sine die, Sept. 23, 1863*  
*re-established Dec. 27, 1880*  
1881 — HON. WILLIAM G. RITCH  
1883 — HON. L. BRADFORD PRINCE  
1923 — HON. FRANK W. CLANCY  
1925 — COL. RALPH E. TWITCHELL  
1926 — PAUL A. F. WALTER

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# CONSTITUTION

OF THE

## HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 19, 1929)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have, by published work, contributed to the historical literature of New Mexico or the Southwest, may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.



Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

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Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico, Albuquerque, New Mexico.



# NEW MEXICO HISTORICAL REVIEW

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## OUR LADY OF LIGHT ACADEMY, SANTA FÉ

By SISTER M. LILLIANA OWENS, S.L., PH.D.

SANTA FÉ has long been the seat of civil, military and ecclesiastical government: Church and state were planted there when America was *El Nuevo Mundo*. The faith was first brought to the Indians of New Mexico by the Franciscans of the sixteenth century, but the early missionaries were put to death by the savages whom they had come to save, and no lasting work was accomplished by them.

Before Columbus landed on this continent the site of Santa Fé had had an existence as an Indian pueblo and it will probably be the pilgrim's mecca long after the present generation and generations yet unborn are forgotten. The old government building, the churches, the tombs and bones of her heroes, all make Santa Fé a city of fascination for tourists throughout the land. In 1846 General Stephen W. Kearny took possession of Santa Fé and hoisted there the American flag. The Treaty of Guadalupe-Hidalgo confirmed the title of the United States to that territory and New Mexico was organized as a Territory, with Santa Fé continuing, as under Spanish and Mexican rule, to serve as the capital. The first railroad projected for New Mexico had the name Santa Fé in its charter, but if it had not been that this charter contained a condition that the old city was to be connected by iron bands with the cities of the East, it is doubtful whether a railroad would so soon have penetrated beyond the Ratón mountains. The building of that



railroad in 1880 to Santa Fé and beyond made East Las Vegas and New Albuquerque and the many towns along its line.

In Santa Fé there are no imposing sights such as one finds in the larger cities. Many of the buildings still are plain adobe, and for the most part they are but one story in height. Yet the old government building called the *Palace of the Governors* has a much richer history than many finer buildings elsewhere in the United States. Bandelier gives us an interesting account of this old landmark. He tells us, among other things, that General Kearny, after his long weary march of a thousand miles, slept on the carpeted floors of the *Palace*. It was here, while governor of New Mexico, that General Lew Wallace is said to have written at least a part of his magnificent *Ben Hur*.

By the decree of July 19, 1850, Pope Pius IX, made New Mexico a Vicariate-Apostolic, and on the 23rd of the same month appointed the Reverend John B. Lamy, a priest of the Diocese of Cincinnati, Bishop *in partibus* of Agostonica and Vicar Apostolic of New Mexico. When Bishop Lamy arrived at Santa Fé in 1851 he found that the educational work<sup>1</sup> in New Mexico had fallen to the zero mark, and being ever anxious for the good of souls he desired to establish, in his diocese, sisters devoted to the teaching of the young. Early in the spring of 1852 the missionary bishop left Santa Fé to attend the First Plenary Council of Baltimore. He determined to look for a community of sisters to return with him and undertake this great work of bringing education and culture into the Southwest. His determination in regard to this is expressed in a letter written by Father Joseph Machebeuf to his sister from Peña Blanca under date of 1852:<sup>2</sup>

. . . As the source of evil here is the profound ignorance of the people, the first necessity must be instruction, and for this we need Christian schools

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1. See Lansing B. Bloom, *Old Santa Fé*, I (Jan. 1914), p. 258 and footnotes.

2. Ms. (French) *apud* Archives, Denver Diocese.

for the youth of both sexes, but especially for young girls. The means of forming them to virtue, and to good example, which is rare in New Mexico, is the establishment of religious houses conducted by persons devoted to their calling, and filled with the spirit of self-sacrifice. To this end the Bishop has already opened a school for boys in our house, and he has knocked at many doors in the United States to secure sisters for the girls. I do not know whether his Lordship will succeed in this while he is away . . .

At one time Bishop Lamy had served as pastor of a church in Covington, Kentucky. He remembered that at that time he had heard of the self-denial of a community of religious in Kentucky under the direction of the Reverend Charles Nerinckx. He knew that they had given a sympathetic ear to the pleadings of Reverend John Schoenmakers, S. J., in 1847 and had sent a colony of sisters to labor among the Osage Indians.<sup>3</sup> Inspired with hope that they would turn a favorable ear to his petition he called on the Bishop of Bardstown on his return from the Provincial Council of Baltimore. The plea of Bishop Lamy was repeated to the assembled community, and as justice demanded that the prospective volunteers should know the actual condition of things prevailing in his poor vicariate, the bishop told them of the arduous work and the many hardships that awaited them. Those who know, or who have read of the scrupulous sincerity of Bishop Lamy and the condition of the country to which he was inviting the sisters realize that the picture he drew for them could not have been a very attractive one for those not filled with the spirit of self-abnegation. But the Loretines were not appalled, and the response for volunteers was characteristic of the spirit of their founder, the Reverend Charles Nerinckx. Faithful to the injunction of Father Nerinckx and true to the meaning

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3. For a complete account of the work of the Sisters of Loretto among the Osage Indians at Osage Mission, Kansas, see *The History of the Sisters of Loretto in the Trans-Mississippi West* by Sister M. Lilliana Owens, S.L., Ch. VI "Work Done by the Loretines in Southeastern Kansas," *apud* St. Louis University Library, St. Louis, Missouri.

of the title—*Friends of Mary at the Foot of the Cross*—they listened to Bishop Lamy's pleadings. Out of the number who volunteered six were designated by the General Council at the Mother House for the founding of the school at Santa Fé: Mother Matilda Mills, Sisters Magdalen Hayden, Catherine Mahoney, Rosanna Dant, Monica Bailey and Roberta Brown.<sup>4</sup> These six valiant women bade *adieu* to their companions and to the Mother House on June 26, 1852, after they had assisted at Holy Mass. They were filled with a natural grief at this separation but were strengthened and sustained by the thought of the Master in whose cause they were enlisted. They set forth not knowing that death was very close at hand.

Bishop Lamy had planned to go to New Orleans to visit his niece<sup>5</sup> who was at that time attending school at the Ursuline Convent, before returning to Santa Fé. He arranged that the sisters were to make the journey by the *Traders' Trail* and meet him in St. Louis. In St. Louis the sisters were kindly received by Bishop Kenrick. They visited the convent of St. Ferdinand at Florissant, and spent a few days with the sisters. As soon as Bishop Lamy returned to St. Louis they joined him and on July 10 boarded the steamer *Kansas* which was to take them up the Missouri river as far as Independence.

The spirit of self-sacrifice had prompted the sisters to accept the new mission, yet they little dreamed how soon their virtue was to be put to a test. There had already been some cases of cholera on board when, on Friday the sixteenth at two o'clock in the morning, Mother Matilda Mills was attacked. Her suffering lasted until about two o'clock in the afternoon of the same day when she died, after having received the Sacraments of Penance and Extreme Unction at the hands of Bishop Lamy, who was deeply affected by the circumstances. Two hours later the steamer landed

4. *Council Record*, apud Archives, Loretto Mother House, Nerinx P.O., Ky. Hereinafter this archive will be cited as A. L. M.

5. Later Mother Francisca Lamy, S. L., who labored for many years at Our Lady of Light Academy in Santa Fé.



at Todd's Warehouse, six miles from Independence. In the meantime Sister Monica Bailey also contracted the disease and the landing was a truly sad one. One sister was in a dying condition and one was dead. The inhabitants stood in such dread of the disease that the sisters were not allowed to enter their houses, and were therefore obliged to remain in the warehouse.

The next morning, July 17, three sisters, with Bishop Lamy and a few other persons, accompanied the carriage which conveyed the body of Mother Matilda Mills to its last resting place in the graveyard of Independence, but on the way they met the sheriff who had been appointed by the authorities to forbid entrance into the town for fear of contagion. The funeral cortége continued on its way to the graveyard, however, for the bishop's firm attitude and, perhaps, too, compassion for the sad spectacle caused the official to relent.<sup>6</sup>

Mother Magdalen tells us in her annals <sup>7</sup> that the bishop now took the three sisters, Sister Catherine Mahoney, Rosanna Dant, Roberta Brown to the town which was six miles distant, while Sister Magdalen Hayden remained in the warehouse to care for the apparently dying Sister Monica. On the night of the following Monday, July 19, Sister Magdalen, herself, was attacked with the cholera, and made what she believed to be her last confession. Now Bishop Lamy found himself with two dying religious to be cared for. The place was ill suited for these religious sick unto death and Bishop Lamy, unable to make better arrangements, had the two sisters removed to tents about two miles from the town. Here the sisters suffered many inconveniences but they were better off than in the warehouse. After a few days Sister Magdalen began to improve. On Sunday, July 25, the three sisters came from Independence, and heard Mass said by Bishop Lamy in a tent erected for that purpose. Sister Monica Bailey was unable to proceed fur-

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6. *Annales de Nuestra Señora de la Luz* (hereinafter cited as *An. de N. S. de la L.*) by Hermana Maria Magdalena Hayden, S. L., *apud* A. L. M.

7. *Apud* A.L.M.

ther and as her recovery was doubtful it was decided that she was to return to Independence until her health would be sufficiently restored for her to return to Florissant, Missouri. Sister Monica Bailey gave an account of her experience in a letter written at Liberty, Missouri on September 20, 1852 and directed to Mother Berlindes Downs.<sup>8</sup>

After the death of Mother Matilda Mills, Sister Magdalen Hayden was chosen to fill the office of superior, and this choice was promptly approved and confirmed at the Mother House in Kentucky. Thus was Mother Magdalen Hayden chosen in the designs of God to guide the colony of Sisters of Loretto into Santa Fé; to protect them against the storms and difficulties they would encounter; to build the material and spiritual edifice of the Society of the Sisters of Loretto in the Southwest and particularly in the city of the "Holy Faith." In a letter written to one of her school-mates on July 12, 1854 she gives an account of this interesting journey.<sup>9</sup>

On the evening of August 1 they reached Willow Springs, a fine watering place a few miles from Westport, and there found the party ready to start.<sup>10</sup> They lost no time, and started at once, but they had proceeded only a few miles when one of the wagons broke down, and they were obliged to encamp in order to repair the wagon. That was a terrible night for the travellers. A fearful storm arose; the wind blew with violence, the rain fell in torrents; the tents could not be pitched and all the sisters and the ladies in the party had to remain in the wagons to protect themselves as well as they could against the beating storm. It lasted the whole night through. Mother Magdalen says that the sisters were much terrified at the fury of the storm which at times seemed ready to shatter to pieces their frail tenement, and they sought protection in prayer.<sup>11</sup>

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8. See Owens, *op. cit.*, Chapter IX "Missionary Work in New Mexico, California and Arizona." Document *apud* A. L. M.

9. Owens, *op. cit.*, Documentary Appendix for Chapter IX.

10. With them travelled a family and some other persons belonging to the bishop's suite. See Defouri, *Historical Sketch of the Catholic church in New Mexico*, p. 87.

11. *A. de N. S. de la L.*, *apud* A. L. M.

Sometime was spent the next day in repairing the damage of the storm. On Sunday, August 8, the bishop said mass near an Indian hut on the banks of the Hundred and Ten Creek. On the evening of the Assumption they reached Council Grove.<sup>12</sup> The next day they resumed their march, and the following Sunday mass was said at Pawnee Fork, on the spot where now stands Larned, Kansas, at the junction of the Pawnee and the Arkansas. For the first time buffalo were killed by the party and fresh meat was enjoyed. They arrived at Fort Atkinson on September seventh and were encamped some miles beyond, but still in Kansas, when a party of Indian warriors, four hundred strong, surrounded them. All were terrified, particularly the women. This was the Indians' camping ground, and whenever they could do so with impunity they would attack the caravans. On this occasion they seemed peaceable; still as their intentions were not known, and the Indian is often treacherous, the bishop thought it prudent not to make any move, hoping they would retire; but as they seemed disposed to remain, he ordered his company to march in the evening, and the caravan travelled all night. September 12, Sunday, found them at Cimarrón, having crossed the Arkansas and two days later they were rejoiced by the appearance of the Very Reverend Vicar-General Machebeuf, who with a party of men and horses met the oncomers at Red River. Near Fort Union they were supplied with fresh meat and fresh bread, a most welcome food after the hard tack of their journey, which was frequently rationed. On September seventeenth they reached Fort Bartley, where for the first time in nearly two months they slept under a roof. Las Vegas, their first New Mexican town, was reached on September eighteenth. The next morning the bishop said mass in a private dwelling not far from the town. There he stopped to rest, and sent Father Machebeuf with the sisters to what was then called the "Bishop's Rancho" or farm, a little over fifteen miles from Santa Fé.<sup>13</sup>

12. The fifteenth of August.

13. This *rancho* was subsequently sold to the Hon. F. A. Manzanares, delegate to congress in 1882-84. The A. T. and S. F. R. R. has established here a station named Lamy after Bishop Lamy. See Defouri, *op. cit.*, p. 40.



On Wednesday, September twenty-second, the bishop set out from Las Vegas and quietly entered the episcopal city on Thursday, September twenty-third, to prepare the way for the caravan. On September twenty-sixth the party left the ranch and arrived at Santa Fé at four p. m. The people, led by Father Juan Felipe Ortiz<sup>14</sup> and other Mexican priests, went several miles to meet them. As they approached the city, the crowd increased so much that the carriages could scarcely pass through the streets of the famous old city. Triumphal arches had been erected and the bells of the different churches were pealing forth a welcome as the sisters made their first entrance into Santa Fé. They were received at the door of the cathedral, presented with holy water, and led to the foot of the altar. The *Te Deum* was sung, accompanied by Mexican music, and the ceremony terminated with the episcopal blessing. From here the sisters were conducted by the bishop, vicar-general and the clergy to the house prepared for them. How happy this little band of pioneer religious must have felt to know that they were welcome in the City of Holy Faith, where they had come to labor for the good of souls. In the convent annals Mother Magdalen Hayden has recorded the kindness and generosity of the people of Santa Fé.<sup>15</sup>

The school was not opened immediately as the sisters needed some time to apply themselves to the study of the language of the country. In November they received their first boarders, two children who had lost their mother. When these were admitted Bishop Lamy remarked to Mother Hayden "It is well to begin with an act of charity."

The school opened under the title of *Our Lady of Light*<sup>16</sup> Academy in January 1853, with ten boarders and

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14. Father Ortiz had been vicar-general for New Mexico under Bishop Zubiría of Durango and was then residing at the cathedral.

15. A. L. M.

16. The title *Nuestra Señora de la Luz* was very much loved by the Mexicans. This no doubt was the reason why Bishop Lamy called Loretto's first foundation in Santa Fé, "Our Lady of Light Academy." See also A. Von Wuthenau, "The Spanish Military Chapels in Santa Fé and the Reredos of Our Lady of Light," *NEW MEXICO HISTORICAL REVIEW* (July 1935), Vol. X., No. 3, pp. 175-194.

three day scholars, and by the following August the number had increased to twenty boarders and twenty day scholars.<sup>17</sup> The house which the sisters occupied had been ceded to them by Bishop Lamy. As their enrollment grew the house became too small and in October 1853 the bishop donated the complete *plazita* to the sisters for the use of the school. In 1855 it became necessary to secure even larger grounds, and the sisters obtained at a very reasonable price a piece of property in a secluded part of the city.<sup>18</sup> From the very first, success attended the efforts of the Sisters of Loretto in Santa Fé. While not without hardships and privations they easily adapted themselves to the new country, and the spirit of the society was happily in accord with the free and undaunted spirit of the West. Today when one reflects upon the educational progress of the Southwest, secular or religious, he thinks of the Loretines, their schools and their academies.

The spring of Santa Fé's activity had constantly to be supplied by the Loretto Mother House in Kentucky. Many bands have made the journey across the vast country to the City of Holy Faith, but the memory of one little group that set forth to join the sisters of New Mexico is forever sacred in the annals of Loretto, and for one nameless grave Loretto's heart forever yearns. In 1867 three Sisters of Loretto and two Sisters of Charity<sup>19</sup> from Cincinnati started for Santa Fé with Bishop Lamy who had just returned from Europe. In the bishop's suite were fifteen missionaries and five sisters. His lordship had longed ardently to secure the

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17. *A. de N. S. de la L.*, apud A. L. M.

18. In 1855 another group of sisters left Louisville on May 12 in the company of Reverend Joseph Machebeuf and reached Santa Fé on July 24. An account of this trip was written for the Reverend William J. Howlett by Mother Ann Joseph Mattingly, a member of the caravan from the Loretto Convent, Florissant, Missouri. This Ms. is on file in the Archives of the Denver Diocese. There are copies of it apud A. L. M. and in the Historical Files at the St. Mary's Academy, Denver, Colorado.

19. The Sisters of Charity from Cincinnati were Sisters Augustine and Louise. These names are on record apud A. L. M. Sister Mary Buchner, S. C. L. in *The History of the Sisters of Charity of Leavenworth*, p. 102, gives the names as Louise and Seraphine. The sisters of Loretto were Sisters Isabella Treller, Mary Kotska and Alphonsa Thompson. The last was not yet twenty years of age.

invaluable services of the fathers of the Society of Jesus in his diocese, and now he was accompanied by three sons of St. Ignatius, Fathers L. Vigilante, superior, Rafael Bianchi and Donato M. Gasparri, and two Jesuit brothers, Prisco Caso and Rafael Xezza.<sup>20</sup> There were also some secular priests in the party, two brothers of the Christian Schools, Paul Beaubien, a young Mexican from St. Louis University, enroute for New Mexico, Jules Masset, the bishop's business agent, some relatives of the secular clergy and two Mexican servants, Antonio and Antonito, the whole party consisting of twenty-six members.

On June 10, 1867, they left St. Louis and went west to Leavenworth, Kansas.<sup>21</sup> Twenty-one of the party were entertained during the week of their stay in Leavenworth at the residence of Bishop Miége. The sisters were lodged at St. John's Hospital, but they were also considered the guests of the Academy of the Sisters of Charity. The little group left Leavenworth on June 14 and travelled eight miles that evening. They had pitched their tent and retired for the night when a terrible rain accompanied by the blustering winds of Kansas, drenched them through the tent. In spite of the trying time the sisters were all very cheerful except the young Sister Alphonsa. She seemed preoccupied and worried. The caravans could not continue as rapidly as they wished because of the rumors that travellers on the plains were being murdered and scalped by the Indians. These stories left a great impression on the mind of the young religious.

Bishop Lamy and his party reached St. Mary of the Pottowatomie on the eighteenth of June. The Jesuit fathers of the mission, with all the boys came to meet the party several miles from the school. They greeted the bishop and preceded him with banners and music to the gates of the

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20. Defouri, *op. cit.*, p. 107.

21. *Ibid.*, p. 108. There is a letter written by Sister Mary Kotska, S. L., *apud* A. L. M., in which she gives the date as June 10. Father Defouri gives it as June 6. Sister Kotska was a member of the caravan and her account is no doubt the accurate one.



hospitable old mission. Sunday was spent at St. Mary's. On June twenty-fourth, with renewed courage the bishop and his party left St. Mary's on the feast of Sts. Peter and Paul and encamped a few miles from Junction City. Towards noon four peaceable Indians, perhaps spies, came to visit them, and remained awhile. When the missionary party had crossed the Smoky River they felt that they had bid *adieu* to civilization and were indeed on *The Plains*. Now began their severe apprenticeship in western mission life.

On the first of July they came to a Mexican caravan, eighty wagons strong, and the men who were well armed received the Bishop of Santa Fé with demonstrations of joy and veneration. Some days after meeting this caravan scouts were sent out by the captain of the caravan, Don Francisco Baca, to see how the land lay, for as they were going farther and farther away from civilization they thought it well to be cautious. The scouts hurried back with the report that there were a thousand Indians in the neighborhood ready for massacre and pillage.

So far the health of the bishop's party had been excellent, but cholera had broken out among the Mexicans, and for several days it was feared that few would be spared. On Sunday, July 14, the bishop celebrated mass and delivered a touching sermon which impressed upon them the necessity of bearing with fortitude the hardships they might encounter, and of strict obedience to orders. On July 16 they encamped about three miles below Fort Dodge. Several times they had sighted little bands of Indians, but the first attack was made on the caravan at dusk on July 17, while the men were unharnessing the tired animals from the wagons. They had attacked a train from New Mexico a few miles further west the day before. Everyone knows the tactics of the Indian in war. He never fought in regular battle, but rather tried to surprise the enemy. This was the plan of attack against the bishop's party. Fifty mounted Indians suddenly appeared upon a hill a short distance

away, and rushed madly upon the party, shouting and discharging their firearms. The Mexicans of the caravan turned upon them and chased them some distance without loss. On July 22 at ten o'clock in the morning, Jules Masset, the bishop's business agent was seized with cholera, and much to the bishop's dismay was dead that afternoon. While he was dying they camped nearer to the Arkansas River at a place called Cimarrón Crossing. About this time fifteen men who had been sent out to ascertain the whereabouts of the Indians returned at full gallop, pursued by more than four hundred Indians. They were frightful to behold in their war paint and feathers. A stockade was hastily made by the wagons bound together, with the animals in the center. The men stood inside and a furious fight ensued for three hours. The bishop and the caravan gave strict orders that no one should go outside the stockade. Bishop Lamy was everywhere encouraging the men to fight bravely and defend themselves if necessary. He held a gun in his hand, and gave orders with great coolness and deliberation, showing to all an example of courage and calmness. Everyone was at his post behind the wagons, and when the Indians passed before the caravan returned their fire, and observed that several of them fell dead or wounded, and were immediately surrounded by their companions, placed on their horses and taken away. Father Brun states in his journal:<sup>22</sup>

We could hear the bullets whizzing over our heads, several imbedded in the wheels of the wagons, but fortunately none of us were wounded. Father Coudert distinguished himself among all by his coolness and valor. After more than three hours of such fight the Indians went off in small bands, separating from one another in order to avoid our bullets . . .

We learned, sometime after, that three of the principal chiefs were killed and one severely wounded. As for us we were protected in a visible manner by Divine Providence . . .

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22. Defouri, *op. cit.*, p. 113, *et seq.*

The five sisters remained in the tent, tortured by fears more agonizing than their defenders could dream of, and fervently did they pray for death rather than that they should fall into the hands of the maddened savages. It was noticed that the youngest sister, Sister Alphonsa, was extremely pale and that during the whole terrible time she had remained silent, seemingly absorbed in deep thought. The saddest part of the journey was to follow on July twenty-fourth. The shock had been too great for the innocent soul of this young religious. Father Gasparri, S. J. leaves us an account of her death:<sup>23</sup>

On the twenty-third we continued our journey, and toward evening, Sister Alphonsa Thompson, a native of Kentucky, fell sick. Night settling we camped, and she being very ill received the last Sacraments. The other sisters waited on her all night, and the next day we had to continue our journey. She was put into a wagon with four other sisters, and when we had halted, she died at ten o'clock, July 24, being not quite twenty years old. We all felt most sensibly the death of that sister, so much more as no remedies could be procured in those desert plains to relieve her. On the other hand the Indians would not let her die in peace. She was buried in the evening near the road, in a place well marked and known to the Mexicans. A coffin, the best that could be had under the circumstances, was made for her, and all accompanied the body in procession, a Jesuit father performing the ceremony, and the bishop assisting. Before leaving the place a cross was planted over the grave. The poor sister had expressed a desire not to have her body left there, but to have it taken on with us to New Mexico, fearing, perhaps, that the wild Indians, finding it, perhaps, would desecrate it. But this was not done, above all because it is said that Indians always respect dead bodies. God, moreover, would protect in a special manner that body, in which had dwelt a soul as pure and innocent as Sister Alphonsa's.

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23. *Ibid.*, pp. 114-115. See Sister Blandina Segale, *At the End of the Santa Fe Trail*, p. 101 *et seq.*



Bishop Lamy referring to the sad death of this young religious wrote: "The youngest Sister of Loretto died on July 24 from fright, as I consider it, caused by the attack of the savages. She was eighteen years of age, well educated and a model of virtue."<sup>24</sup>

After the interment<sup>25</sup> the caravan continued on its journey until Friday the twenty-sixth when the bishop thought it prudent to leave the caravan behind because it was so slow, and also to free themselves from cholera, which continued to rage among the Mexicans. It was a touching separation. The chiefs of the caravan came to the missionaries, and together they recited the Litany of the Saints in thanksgiving for their wonderful preservation. All knelt on the ground, and the bishop gave them Benediction which they received with great faith and devotion. At four o'clock in the evening, they left the caravan and travelled that whole night for fear of attracting the attention of the Indians. The travellers were looked upon by all who met them as ghosts from the other world as the news had spread abroad that they had all been massacred.

On August 15, from the hills they beheld Santa Fé. More than two hundred horsemen came out to meet the bishop's caravan as an escort. At the entrance of the city they were first met by the Christian Brothers with their band, and other bands of music followed; the bishop entered the cathedral, at the door of which the vicar-general welcomed him in the name of the clergy, after which the bishop solemnly gave Benediction to the people. His heart was full.

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24. Father Defouri tells us that three years afterwards, while he was pastor at Topeka, Kansas, the bishop requested him to find the grave of Sister Alphonsa. Accompanied by two men employed by the railroad near Cimarrón Crossing, he forded the river and followed the old track, and saw, or at least thought he saw, the grave by the roadside. The spot was marked by a tuft of grass. The cross, however, was missing. The evening was advancing and he and his party could not delay because of the Indians. They had received strict orders to return as soon as possible.

25. Some lines in memory of the death of Sister Alphonsa were published by an unknown author in the *Ave Maria*. See Owens, *op. cit.*, Documentary Appendix for Ch. IX. Miss Eleanor Donnelly also made her death the subject of a beautiful poem, which may be found in *Loretto: Annals of a Century* by Anna C. Minogue, and in Owens, *op. cit.*, Documentary Appendix Ch. IX.

He had brought with him a new and powerful element of education for the people whom he loved so much. He had enriched his diocese with a religious Order of women and now he was bringing with him those who had done so much for education—the Jesuits. From his heart must have re-echoed the feelings of St. Paul “How beautiful the feet of them that preach the gospel of peace, of them that bring glad tidings of good things.”<sup>26</sup>

The unique chapel of Our Lady of Light Academy is a charming edifice built entirely by the efforts of Mother Magdalen Hayden and the sisters under her charge, who not infrequently stinted themselves in order that they might be able to erect a fit dwelling place for the Blessed Sacrament. From Mother Magdalen’s letters we obtain the following information:<sup>27</sup>

We were in great need of a chapel, as the one we had was of adobe and very small. It was a one story room, besides it was old and not considered very safe. We had almost abandoned the idea of building one, but happily we placed its erection under the protection of St. Joseph, in whose honor we communicated every Wednesday that he might assist us. Of his powerful help we have been witnesses on several occasions. Our new chapel we commenced on July 26, 1873, and finished in 1878.

This chapel has become one of the architectural ornaments of the quaint old city.<sup>28</sup> A beautiful statue of the Mother of Christ adorns the pinnacle, and when the crescent of electric lights at her feet and those of her crown are lighted, it can be seen from all parts of the city. The structure is built of stone and is of the purest Gothic style.

Few who remain can recall the first primitive adobe buildings with flat roofs, for each year that has passed since 1852 has seen improvements at Our Lady of Light Academy. The academy was incorporated in 1874 and in 1881 a build-

26. Rom. X:15.

27. Originals *apud* A. L. M.

28. See Sister Blandina Segale, *op. cit.*, pp. 34, 132, 133.

ing equipped with modern conveniences was erected. During the eighty-some years of its existence Our Lady of Light has had but ten superiors.<sup>29</sup> One fashioned the premises, and beautified the grounds; another perfected the domestic equipment; a third built a new addition to the academy; a fourth enlarged the library, until nothing has been left undone to make the academy a healthy, happy and a holy place for the religious and the student.

Successful from the beginning in the work of education, the school continued to grow until in 1920, during the superiorship of Mother Albertina Riordan, a new building was erected in response to urgent demands for more classrooms. This building relieved the congestion for nearly eight years, but with the steady growth of the population and the ever-increasing demand for high school education, the accommodations again became inadequate. The sisters did not know how to meet this demand, but again Providence came to their assistance. The Diamond Jubilee celebration was to be held in May 1927. Michael Chávez, prominent real estate owner in Santa Fé, realized the urgent necessity of enlarging the building. He had received a part of his education in Santa Fé and now in appreciation he donated \$75,000 to Our Lady of Light Academy in order that the new building, so much needed, might be possible. Mr. Chávez in making this gift explained that he wished to aid the work of Catholic education in Santa Fé and to encourage the pioneer religious who had braved the terrors of the plains, Indians, and wild animals back in the early fifties to light the torch of learning in the Southwest. The news of the donation soon spread over the city and the state, and caused great rejoicing among the hundreds of alumnae of Our Lady of Light Academy. The Diamond Jubilee celebration extended over four days. The exercises were formally opened in the cathedral with vespers sung by the Christian Brothers. A sermon followed, preached by the

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29. For a complete list of the superiors who have presided over Our Lady of Light Academy, see Owens, *op. cit.*, pp. 286-87. Record *apud* A. L. M.



archbishop, Most Reverend Albert T. Daeger, O. F. M., his theme being "The Pioneer Days of the Order." In the course of the celebration Reverend Roger Aull paid a glowing tribute to the spiritual life of the Sisters of Loretto. Many visiting priests and religious women came from various parts of the Southwest to show their esteem and appreciation of an Order which, from 1852 to 1927, had done so much for the cultural improvement of the Southwest.

THE FEDERAL INDIAN POLICY IN NEW MEXICO  
1858-1880, III

*By* FRANK D. REEVE

CHAPTER VI

THE WIMINUCHE AND CAPOTE

THE TREATY of 1863 with the Tabaguache pointed the way for the ultimate disposal of the other southern Ute bands. The next five years were marked by frequent changes in the office of special-agent, now located at Tierra Amarilla, and insufficient funds to provide adequate food and clothing for the Wiminuche and Capote, who were becoming more and more dependent on the government with the decrease in the game supply. Superintendent Steck and later Agent Army recommended that the special-agency be abolished as an unnecessary expense, but it was retained despite the fact that the superintendency as a whole was inadequately supported.

The matter of furnishing the Indians with food and clothing was a particularly difficult task. When no annuities were issued for two years, 1864 and 1865, they became more restless than usual and indulged in some petty thieving. Special Agent Graves partially relieved the situation with his funds and held a council with the Ute chiefs in January, 1866, when they promised to punish certain tribesmen guilty of a recent depredation. The following year the superintendent extended the credit of the government and distributed some food and ammunition at Tierra Amarilla. The gift of ammunition was accompanied with a request that they go off on a hunt, and he promised to supply them with goods in the fall, a promise that was carried out.

The petty depredations due to hunger were usually construed as indicating the possibility of war if the situation was not remedied,<sup>1</sup> and the intrusion of the miners into the

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1. Norton to Cooley, 8/5/66, N77/66. R. B. Mitchell to Cooley, 7/17/66, M61/66.

San Juan country heightened that fear. As a precaution against an outbreak, General Nathaniel Pope established Fort Lowell at Tierra Amarilla late in 1866. But the chronic cry that the Ute "*must be fed*,"<sup>2</sup> which was the crux of the situation, never produced a satisfactory or tangible result from the commissioner at Washington, although he meant well:

For the want of sufficient means, this office has not always had the power to carry into effect its purposes and plans for the benefit of Indians not provided for by treaty stipulations; especially has it been so with regard to those in Arizona, New Mexico, and Utah.<sup>3</sup>

His complaint went unheeded, for despite the fact that "Humanity and economy both demand that every effort should be made to protect the neighboring settlements from the depredations that would inevitably result from leaving these Indians with no other alternative for their support . . ." the usual appropriation of \$50,000 for the support of the superintendency of New Mexico was reduced from \$50,000 to \$40,000 for the year 1868.<sup>4</sup>

In the midst "of their squalid poverty" the Ute retained a surprising degree of self-control. While "The head chief 'So-ba-tah' and his family presented a picture of most abject poverty, pitiful to behold," there was a flock of 3,000 sheep within eight miles of their camp!<sup>5</sup> In view of this condition, the idea of providing them with a reservation like their brethren the Tabaguache gained ground. Superintendent Norton, following the advice of Dodd and Carson, recommended that they be located on the San Juan river or its branch, the Rio de las Animas, in southwestern Colorado.<sup>6</sup> A similar movement for locating the northern Ute bands on a reservation was developing in Colorado. Governor A. C. Hunt was requested by Commissioner Taylor in Novem-

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2. Norton to Taylor, 8/20/67, N126/67.

3. *Annual Report*, 1867, p. 6.

4. Mix to Otto, 9/25/68, RB 17, p. 450.

5. Hunt to Taylor, 10/2/68, Colo. C1056/68.

6. Norton to Cooley, 7/29/66, N68/66.



ber, 1867, to bring two chiefs to Washington from each of the Tabaguache, Uintah, Grand River, and Yampas bands of Ute.<sup>7</sup> This move resulted in a treaty that had strong repercussions in the superintendency of New Mexico and led ultimately to the location of the southern Ute on the Colorado reservation.

Governor Hunt and Carson acted promptly and took a party to Washington, including representatives of the southern Ute. The Indians were first shown the sights in order "that the magnitude of the American Capitol may be more fully understood by them, and related by them to their various bands upon their return to the mountains."<sup>8</sup> Then, in due time, the treaty was negotiated and signed on March 2, 1868, in their hotel room with the proceedings probably expedited by a round of "fire-water."<sup>9</sup> The provisions as finally approved by the senate were as follows: the treaty signed with the Tabaguache in 1863 was made applicable to all the Ute; a reservation was provided in southwestern Colorado bounded by a line running north from the territorial boundary along the 107th parallel of longitude to fifteen miles north of the 40th parallel of latitude, thence west to the Utah-Colorado boundary; two agencies were provided, one for the Tabaguache, Moache, Wiminuche, and Capote to be located on the Rio de los Pinos; \$11,500 was provided for buildings and \$8,000 for a saw mill; agents were to reside at the agencies; the Indians promised to deliver up wrong-doers for punishment; upon request, each head of a family should receive a farm of 160 acres and \$250 for four years; a single man should receive an eighty acre farm; the Ute "pledge themselves to induce" children from seven to eighteen years of age to attend school; annuity goods were promised for thirty years to a maximum of \$30,000 per annum; a similar amount annually for subsistence until self-supporting; \$45,000 for "one gentle Ameri-

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7. Taylor to Hunt, 11/12/67, LB 84, p. 556.

8. Hunt to Mix, 2/4/68, Colo. C575/68.

9. Hanson to Clinton, 12/9/69, C761/69.

An expense of \$9,286.77 was incurred in securing the treaty. U. S. S. L., XV, 315.

can cow" and five sheep per family; the government was granted a right of way for railroads and highway; teachers and instruction in mechanics were promised; land sessions could be made only by vote of three-fourths of the adults; and land in severalty could be ceded only by the consent of the individual.<sup>10</sup>

This treaty differed from the earlier one in a few details. A different location for the reservation was provided, more attention was paid to promoting agriculture, two agencies were provided, education was thought of, and the grant of annuities was more generous. Governor Hunt immediately pressed the Washington authorities to make available the \$45,000 for sheep and cattle so that the Indians could be induced to move to the reservation as rapidly as possible. Now, however, a technical issue arose over interpretation of the treaty. Under the terms of the first agreement of 1863, the government obligations were to be observed when the Ute had settled on the reservation. This the Indians had never done; consequently, despite the fact that congress had appropriated the necessary funds to fulfill the terms of the first treaty, they had never received any benefits. The Tabaguache, on the other hand, had not retired to the reservation because they had not received the cattle stipulated in the treaty!<sup>11</sup>

A solution to this dilemma was sought by forwarding to Washington a formal declaration from the Tabaguache and the Moache signifying their intention to move to the reservation if the cattle and sheep were provided and their agent accompanied them. After a bit more difficulty, Secretary Browning assented in May to the expenditure of funds under the terms of the treaty of 1863; but this applied only to the Tabaguache because the second treaty had not yet been ratified by the senate.<sup>12</sup> When the senate finally took

10. Kappler, II, 990-993.

11. Hunt to Taylor, 2/15/68, Colo. C634/68; 2/19/68, Colo. I760/68; 3/2/68, Colo. C643/68; and 4/4/68, Colo. C705/68. Browning to Taylor, 3/24/68, Colo. I760/68.

12. Hunt to Taylor, 4/4/68, Colo. C704/68. Browning to Taylor, 4/9/68, Colo. I793/68. Browning to Mix, 5/20/68, Colo. I858/68, and 5/26/68, Colo. I868/68.

favorable action, July 25, 1868, the treaty was amended by striking out the following provision:

Also one good bull for every twenty-five cows, and such further sums annually, in the discretion of Congress, as may be necessary, not to exceed forty-five thousand dollars per annum, and not for a longer period than four years, shall be expended as aforesaid to every lodge or head of a family that shows a disposition to preserve said stock for increase."<sup>13</sup>

The task of securing the consent of the Indians to the amendments was entrusted to Governor Hunt. He met with the Tabaguache and some of the Moache leaders in a secret council September 13 and 14, and met with an embarrassing reception, if he could be embarrassed by charges of chicanery: "the indians told him plainly in said conference that they made *no* treaty while at Washington last winter."<sup>14</sup> They also took him severely to task for the past delinquencies of the government in not fulfilling its treaty obligations; the government was a cheat, they claimed. And there was substance to their charge. The governor had told them a year before that a contract had been made to supply them with Texas cattle. He now tried to save his face by explaining that there had been a change in the office of Indian affairs. It took two days for him to beat down their resistance and secure the necessary signatures to the amendments.<sup>15</sup> He also secured the consent of Capote and Wiminuche representatives to the amendments, but the charge of

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13., U. S. S. L., XV, 623.

14. John Lawrence to Commissioner of Interior, 10/26/68, Colo. L6/69.

Lawrence had lived for eight years at Saguache, Colorado, and was on friendly terms with the Ute under Chief Ouray, the leader of the northern Colorado bands. Hunt, of course, considered him an evil influence. Hunt to Taylor, 11/11/68, Colo. C1079/68.

15. Hunt to Taylor, 10/14/68, Colo. C1045/68.

Juan Martine Martinez made a sworn statement to John L. Watts, chief justice of New Mexico, at Santa Fé, 12/23/68, that the Ute did not consent to a single agency (the location and number of agencies was to be a point of dispute) and that his signature as interpreter was forged. This is just one charge to show that the whole treaty business was tainted with fraud. G3/68. Kappler, II, 994.



fraud in connection with the treaty was a troublesome obstacle to its fulfillment for several years.

The majority of the Capote and Moache bands refused to recognize the action of their supposed representatives in making the treaty. Cornea (or Cawnish), a renegade Capote and leader of a small band, had signed the treaty under the name of Pa-bu-sat. Kaniache, a troublesome leader among the Moache, and Ankatosh had represented that band; and the first named probably did not understand what he was signing.<sup>16</sup>

The New Mexico officials were much perturbed by the action of the Colorado authorities in negotiating the treaty of 1865. "We have this one word to whisper to Colorado—Let our Indians alone . . . New Mexico is their home; here they will stay in peace." The March treaty "must be abrogated or trouble will ensue. This is plain talk, but it is true talk."<sup>17</sup> In keeping with this feeling Superintendent Gallegos assembled the chiefs of the Capote and Wiminuche at Santa Fé in December, 1868. A protest was duly drawn up to the effect that Pa-bu-sat was a thief, not a chief, and was not authorized to make any treaty with Hunt and Carson; furthermore, they did not want to go on a reservation in Colorado. This document was endorsed by the territorial officials, civil and military, and other prominent citizens, and forwarded to Washington with the additional information that an attempt to enforce the treaty would mean war, an oft-repeated warning in these years.<sup>18</sup>

The opposition of officialdom in New Mexico to a reservation in Colorado can be reasonably supposed to have been due to the possible loss of patronage in the appointment of agents and the loss of profits from trading with the Indians. The settlers, in most instances, would have approved the removal of their troublesome neighbors; some,

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16. Council held with Capote and Wiminuche at Santa Fe, 12/23/68, G3/68. N. H. Davis, *Report*, December 1868, W26/69. Keyes to Clinton, 12/7/69, C752/69.

17. *The Daily New Mexican*, 12/15/68, 12/16/68.

18. See G3/68. Also Gallegos to Taylor, 12/12/68, G1/68.

L. E. Webb resigned as superintendent in October, 1868, and was succeeded by José Manuel Gallegos.

of course, could benefit from selling supplies to the agencies. Governor Hunt ignored this opposition on his swing through New Mexico to secure the signatures to the amended treaty, not even deigning to consult with Gallegos.<sup>19</sup> There was some justification for his action and for his belief that the New Mexicans were surreptitiously trying to block his policy, because they were represented in the field principally by a dubious character in the person of Mr. Arny.

The career of Arny in New Mexico was marked by suspicious actions from the time of his participation in the Collins fight to the action of the Navaho in driving him away from their agency. Upon the loss of his job at Abiquiú in the summer of 1868, he managed to wangle an appointment as special agent. In this capacity he was an unwelcome person to the regular Indian officials, and no wonder; he made a frontal attack on the sources of profit by proposing to the government that he take charge of the Ute and subsist them at a price of \$600 per month. This offer was rejected by Commissioner Parker, likewise his proposal to transfer Ayers, who had succeeded French at Abiquiú, to the southern Apache agency.<sup>20</sup> Ayers, apparently, would have been an obstacle to exploiting the Indians for profit.<sup>21</sup>

The opposition of Arny to the program of Hunt lay in a counter plan, one designed to keep the Capote and Wiminuche dependent on an agency that would be supplied from a distributing point in New Mexico, namely, Santa Fé. He held a council with them at Pagosa Springs, August 19, 1868, and secured the terms of a treaty they were willing

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19. French to Webb, 10/13/68, W1116/68.

James C. French succeeded Arny as agent at Abiquiú by appointment in July, 1868.

20. Arny to Taylor, 4/13/69, New Mexico File, 1869. Ayers to Gallegos, 3/3/69, G99/69. Parker to Arny, 5/19/69, LB 90, p. 151.

21. Up to the present time agents are for the most part "A set of political hucksters who, in most cases, came from the east, where they never had any means of gaining a knowledge of the Indian character, and whose boon companions were pot-house loafers. I am speaking plainly, for no reform can be accomplished unless the unvarnished truth is told. Men sent to keep Indians contented, whose only policy was self, and who evinced a greater skill in stealing than the Indians themselves, but not in such a manly way." Ayers to Parker, 8/16/69, C. I. A., *Annual Report*, 1869, p. 241.

to sign, which provided for a separate reservation and other favors similar to those granted to the Tabaguache. Strangely enough, they declined a trip to Washington and delegated Arny to represent them and have commissioners sent out to make the definitive agreement. Arny recommended to his Washington chief that the reservation be located in the New Mexico portion of the San Juan country, with the agency at the mouth of the Rio de las Animas, near the present town of Farmington. The problem of removal did not appear formidable to him officially and by judicious management, he thought, the nomads could be placed within definite boundaries in the near future.<sup>22</sup>

Meanwhile, Governor Hunt was not so optimistic of success in removing the Indians and found an unfavorable reception to the idea on his trip southward from Colorado:

I find in conversation with Agent Arny that he is no more sanguine of success, in obtaining this consent (that of Tabaguache and Muaches) than I have been & wonder very much, why he should encourage a mission so hopeless. I find also in talking with him, that I was not mistaken in my impression concerning his, Maxwell & Agent Dennison's opposition to the success of our treaty. He also tells me that Senator Ross and Mr. Chaves of New Mexico have been at work against it. I cannot find words to express my astonishment at such a procedure. This treaty to the mind of every fair man, who is at the same time a friend of the Govmt, to the Indians and humanity, must commend itself as one of the best ever made and there can be but one reason, the loss of patronage to New Mexico. So far as I am concerned, I am quite willing N. M. should have all of the Indians, if she will only take care of them . . ." <sup>23</sup>

With opposing forces in the field, the path of the solution to the Ute problem would certainly not be made smoother. The commissioner of Indian affairs apparently

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22. Arny, *Report*, 8/31/68, 40 Cong. 3 sess. Hse. Ex. Doc. 1, II, 626ff (1366) Arny to Taylor, 9/12/68, A607/68. Arny to Mix, 10/3/68, A610/68.

23. Hunt to Taylor, 11/14/68, Colo. C1091/68.



sensed this and instructed Arny in November, 1868, to cooperate with Governor Hunt, the one to visit the Colorado Ute, the other to work with their New Mexico brethren. Coöperation, of course, though ostensibly in the interest of the Indian, could be turned to the whites' advantage if they were of one mind. Certainly Arny knew it was better to work with his rival than against him, when possible. Late in the summer he had written to Hunt to the effect that he would be glad to see him before starting to Washington: "I believe it to be important that we should understand each other fully so as to get the Utes of both Territories properly disposed of."<sup>24</sup> This proposal received an unfavorable reception from the governor. He adjudged the letter as further evidence of tampering with the Indians to block the fulfillment of the treaty and forwarded it to Washington as evidence to that effect, asserting at the same time that the New Mexicans were informing the Indians that they would be shut up in the Rocky Mountains with a guard of soldiers like the Navaho had been at the Bosque Redondo.<sup>25</sup>

The efforts of the New Mexico officials to invalidate the treaty negotiated by the Colorado men failed. Perhaps the Indians had not been fairly represented, and their chiefs hoodwinked, but a reservation was the logical solution to the general problem, and the terms of the treaty looked to the interest of the Ute bands. Furthermore, although some of the white men involved in the making of the agreement were not above suspicion,<sup>26</sup> there was no definite evidence of fraud. The government, therefore, stood on the policy of a *fait accompli*:

This office must be governed by the treaty. It purports to be signed by the authorized representatives of all the bands, and except the reported statements of the Indians there is no evidence to the contrary. The articles or stock provided to be

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24. Arny to Hunt, 9/4/68, Colo. C1045/68.

25. Taylor to Arny, 11/5/68, LB 88, p. 233. Arny to Hunt, 9/4/68, and Hunt to Taylor, 10/14/68, Colo. C1045/68.

26. Lafayette Head, a witness to the treaty, was subsequently exposed for fraud and dishonesty as agent at the Conejos. Colo. S475/69.

given to the Indians can not properly be delivered at any place except at the agencies on the reserve, and the Indians must go there to receive them. It would be neither practicable or proper to deliver such articles or stock elsewhere."<sup>27</sup>

With this decision rendered, the question of the location of the agency arose, and here geography presented one of the obstacles to easy solution. The continental divide runs roughly in a southwestward direction from near Salida, Colorado, to the headwaters of the Rio Grande, thence southeastward in the direction of Taos, New Mexico, forming a wedge shape. The Rio Grande and its tributaries drain the eastern slopes, the San Juan river system drains the southwestern slope. The treaty provided for the location of the agency for the southern Ute on the Rio de los Pinos, a tributary of the San Juan, hundreds of miles away from Denver with the backbone of the Rockies and allied ranges intervening. The character of the country and the distance would make it impracticable to supply the agency from the Colorado capital. If the agency was located east of the San Juan Mountains, which constituted the Taos extension of the above wedge, it would be a laborious trip for the Indians to cross the divide to secure their goods; furthermore, it would take the Capote and Wiminuche outside of their customary haunts.

In a conference with the Tabaguache, whose agency had been at Conejos, Colorado, since 1861, Governor Hunt agreed, in July, 1868, to deliver the annuity goods "at a point as near the reserve, as I could approach with wagon, without a greater outlay than would be allowed by your Department [office of Indian affairs], in constructing a wagon road . . ." This location was "at a point about fifty miles North East of the reservation, just in the mouth of the Cochetope pass, which is as near as I can approach the reserve with wagons without a considerable outlay, unless you instruct me to go forward, in compliance with the re-

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27. Parker to Cox, 4/8/70, RB 19, p. 297.

quest of the Chiefs, given before, in which case I shall take a different route and construct a temporary wagon road to some eligible point on the reserve where good winter quarters may be found, and where the stock may be kept in safety."<sup>28</sup>

Treaty obligations, apparently, rested lightly on Governor Hunt's shoulders. Governor McCook, successor to Hunt, tried to locate the agency farther west and on the reservation, but the Indians were now an obstacle. The erection of a sawmill (provided for in the treaty of 1868), they thought, would frighten away the game, and they were suspicious of this new move on the part of the white man whom they claimed had defrauded them in the past. Consequently, the agency was finally located on the west side of the Cochetopa Pass in the Continental Divide at an altitude of over 9,000 feet. The place was farther west than the location of Hunt, but not as far as McCook had planned. When the true boundary of the reservation was established, the agency was found to be twelve miles to the east. The place was snow bound for six months of the year, there was no farming land within twenty miles to experiment with in teaching the nomads to cultivate the soil, even the Indian stock could not be herded nearer than thirty miles most of the time;<sup>29</sup> on the whole, "the location is as bad almost as could have been chosen."<sup>30</sup>

The location of the agency naturally displeased the New Mexico officials and they proceeded to cry "fraud," pointing out that the real Los Pinos was south of the San Juan Mountains.<sup>31</sup> They were correct in their geography and forces were soon at work to force a change. The New Mexico legislature petitioned the president in March, 1870, that the agency be located on the Los Pinos proper, because the Indians refused to cross the mountains to the Coche-

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28. Hunt to Taylor, 7/27/68, Colo. C916/68. Hunt to Taylor, 11/18/68, Colo. C1090/68.

29. McCook to Parker, 8/25/69, Colo. C448/69, Brunot to Delano in C. I. A., *Annual Report*, 1873, p. 85. B. I. C., *Report*, 1872, p. 16.

30. *Ibid.*, p. 108.

31. Hanson to Clinton, 12/9/69, C761/69. *The Daily New Mexican*, 10/22/69.



topa; furthermore, their removal northward might irritate them to the point of war, and a useful frontier protection against the Navaho, still looked upon as potential trouble-makers, would be removed. The commissioner of Indian affairs hinted a few months later that the agency would be relocated,<sup>32</sup> and the proposed change was given an additional boost by the board of Indian commissioners in 1872, when they suggested that the Indians should be located nearer farm lands; incidentally, the mountain mineral region would be open for exploitation. They pointed out that

This proposition may be expected to meet with the opposition both of the settlements in Colorado, upon which the agency is now, and must continue to be, dependent for its supplies while it remains; of the parties in New Mexico, who for similar reasons desire to retain the Indians in New Mexico, and who know that they cannot live in the mountains; and of a corporation which looks forward to acquiring the lands proposed to be thus occupied.<sup>33</sup>

The reference to opposition in New Mexico was based on the supposition, of course, that an agency at Abiquiú was preferable to the location in southern Colorado even though south of the San Juan Mountains.

The mention of a mineral region calls to mind the prediction made by Superintendent Collins some years earlier, that if the mineral country were not ceded by the Indians it would be taken away from them. That possibility was now being pressed to a climax. The miners argued that the Indians disavowed the treaty of 1868 and that they had never gone onto the reservation, stubbornly maintaining contact with their respective agencies long located at Abiquiú, Cimarrón, and Conejos; therefore, the country was open for prospecting. But the conclusion was unsound; if the treaty was valid, they would be legally unable to enter the mineral country because, unfortunately for them, the treaty

32. Legislative Memorial, 3/12/70, P357/70. Parker to Army, 6/24/70, LB 96, p. 317.

33. B. I. C., *Annual Report*, 1872, p. 17.

of 1868 did not contain the clause incorporated in the treaty of 1863 which permitted mining on the reservation. In either case the Indians must be taken into account because they lay across the routes into the mineral region.<sup>34</sup>

The discovery of gold on the upper Chama River led the miners to seek the precious metal on the reservation. Two well-armed parties passed through Tierra Amarilla in June, 1869, determined, if there was any gold, "it will be got at this time."<sup>35</sup> Within a year over 200 had ventured into the debatable land. No doubt they were motivated by hope of personal gain, but there were dreamers on the frontier.

These Indians being placed on a reservation under the control of a good agent and this country opened for development a vast amount of mineral wealth will follow from the mountains and a large population will be sustained, and our Territory may then be termed the Silver State of the Union and be a credit to the name of Lincoln by which it is proposed to honor it.<sup>36</sup>

The Indians permitted reluctantly the intrusion of the unwelcome visitors. The Wiminuche, farther to the northwest, were more unfriendly than the Capote; sometimes they refused to let parties pass. The miners, as temporary sojourners, were less objectionable than permanent settlers, but even they were considered a danger to the supply of game.<sup>37</sup> However, despite all obstacles, mining operations were carried on and the proposal was advanced to secure relinquishment of the Indian title to the mineral area on the reservation.

Congress acted on the matter and authorized the opening of negotiations in the spring of 1872, for a cession of

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34. Army to Delano, 5/27/73, A180/73. *The Daily New Mexican*, 5/26/73. Army to Parker, 7/16/69, A285/69.

35. Veritas to Editors, 6/15/69, *The Daily New Mexican*, 6/22/69.

36. *The Daily New Mexican*, 7/30/70. Army to Parker, *Report*, 7/19/70, A1235/70.

37. Army to Pfeiffer, 7/9/69, A285/69. Hanson to Clinton, 7/12/70, C1487/70. *The Daily New Mexican*, 5/26/70, 8/4/69.

the desired country. The perennial Army<sup>38</sup> with Colonel Granger and Major W. R. Price held a meeting with the Ute at the Cochetopa agency on August 28, 1872. After a four day session, the meeting broke up without any agreement. Army attributed the failure to the opposition of Colorado influence based on the view that the *status quo* was best for their interest. He was optimistic, however, of ultimate success and reported that the Indians manifested

38. Army's special commission had expired in May, 1869. An appointment as a regular agent was blocked by the temporary employment of the military officers, but he was determined to return to the government payroll. He first requested an appointment as special agent for the Jicarillas (who roamed west of the Rio Grande), in order to establish an industrial school for their benefit, with "incidental expenses" of \$300 per month, instructions to buy necessary clothing for the Apache, etc., and to use his influence to keep the Ute quiet till agency controversy was settled, I "ask a *special appointment*, for a *special purpose*, to prepare the way for a *special object*, . . . because I desire to be placed in a position where I can establish a model industrial school for Indians," to make them self-sustaining.

His first attempt failing, he wrote to Sidney Clarke, chairman of the house committee on Indian affairs, for an appointment as superintendent of Navaho schools. Such a position was in advance of the times, but Clarke wrote to Parker: "I earnestly hope you will take such action as will secure his services to the government in some important capacity." Consequently, he was recommended for a job locating the Apache on a reservation, removing the Ute to Colorado, and establishing schools wherever practicable on reservations. Being a staunch Republican, he received an appointment in March, 1870.

Army to Cox, 1/15/70, and Army to Sidney Clarke, 2/28/70, I1104/70. Parker to Cox, 3/7/70, RB 19, p. 231.

As usual he fell under suspicion. The agent in Cimarrón figured the agency expenses for the year at \$30,000 exclusive of clothing; Army reported \$3,000 per month.

"My (the agent) opinion *confidentially expressed* to you is that he is making arrangements for an *immense "job"* for himself and friends as soon as officers are relieved from this duty. He made a big report of his 'talk' with the Indians at this agency, whereas the truth is he couldn't get any of the Indians to go near him until he bought a third of a box of Tobacco (which he asked me to pay for, an honor I respectfully declined) and then was only able to coax about eight of the Apaches into his room, where he and his son carried on 'the talk.' He was exceedingly anxious that no one should be present, but I rather insisted on intruding. Not one of the Utes would go near him, as they said he had been their Agent once & robbed them. In fact both tribes thoroughly despise and dislike him. When I asked them to go and talk with him, they said 'they were good friends to the officers & soldiers, but that they wanted nothing to do with Army; that he was a *Pinip*, and talked *two ways*.' I am curious to see if he published the same report he showed me. I only tell you these things that you may be on your guard with him. I have known him, and of him for three or four years & *have not the utmost confidence* in either his *honesty* or *veracity*. Every one who speaks of him in this country seems to have about the same opinions. I cannot understand how he succeeds in humbugging the Authorities at Washington so completely as he does." Wilson to Clinton, 9/3/70, C1699/70.

Captain W. P. Wilson was ordered April 5, 1870, to the Cimarrón agency in place of A. S. B. Keyes.



the strongest evidence of friendship.<sup>39</sup> But Kaniache said,

Here is Governor Arny, who is present. All the time he is going to Washington and Santa Fé, and all the time he is working against us.<sup>40</sup>

In addition to remaining confident of success, Arny pointed out certain ways in which the desired goal could be reached. The Wiminuche were accused of having murdered Miller, the Navaho agent, and had fled to Utah Territory to escape punishment. Arny held that this action amounted to forfeiting title to the land which consequently reverted to the United States! Or, pressure could be brought to bear on Ouray, chief of the northern Utes; under the terms of the treaty of 1868 he could be held responsible for the capture and delivery of the murderers of Miller. Again, if all rights to hunt and roam outside the boundaries of the reservation were denied to them, they would be forced to live on the reservation, but rather than live at Cochetopa they would agree to anything! He thought that the Capotes and Moache, if negotiated with separately, could be handled all right. The cession of the desired land would separate the northern and southern Utes, which, in his opinion, would correct their jealousies, prevent war, civilize them, and permit the development of the mineral resources. He rightfully pointed out that some solution to the problem was necessary because the influx of miners would eventually destroy the Indians.<sup>41</sup>

The matter hung fire until the following year, but constant pressure was placed on the government to try again. Chief Ouray was reported in April as favoring a treaty if his son, held captive by the Arapahoes, was restored to him.<sup>42</sup> A second commission was finally created June 2, with Felix Bruno as chairman, and concluded an agreement

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39. Arny to Pope, 8/31/72, *The Daily New Mexican*, 9/9/72, Arny to Manderfield & Tucker, 9/4/72, *Ibid.*, 9/12/72.

40. B. I. C., *Annual Report*, 1872, p. 96.

41. Arny to Delano, 9/30/72, A219/72.

42. Dudley to Clum, 1/21/73, D251/73. Clum to Dudley, 2/21/73, LB 110, p. 439. Adams to Smith, 4/28/73, Colo. A111/73.

September 13 with the Tabaguache, Moache, Capote, and Wiminuche; it was ratified by congress on April 29, 1874.

The Bruno agreement contained the following provisions: an area of land was ceded bounded by a line drawn from a point on the eastern boundary of the reservation according to the treaty of 1868, fifteen miles north of the New Mexico-Colorado boundary westward parallel to the territorial boundary to a point twenty miles due east of the western boundary of Colorado, thence north to a point ten miles north of the thirty-eighth parallel, from there due east to the eastern boundary and south to the beginning point; the Indians were granted permission to hunt in the ceded territory until the game was exhausted and so long as they remained at peace; the United States agreed to create a permanent trust fund sufficient to produce an annual income of \$25,000; and to establish an agency on the southern part of the reservation for the Wiminuche, Capote, and Moache; the treaty of 1868 was reaffirmed except as altered by the new agreement; and Ouray was to receive a salary of \$1,000 for ten years or while remaining head chief and remaining at peace.<sup>43</sup>

The area ceded embraced the western tip of the continental Divide wedge and adjacent mountain ranges. It was supposed to include the possible mineral area, but it also extended far enough south to cover part of the farming land of the San Juan drainage. It is very doubtful that the Ute would knowingly have ceded land suitable for agriculture, because they certainly did not welcome a permanent population. Again the charge of fraud was made:

The Indians are very severe upon Ouray and the Commissioners making the treaty of 1873. That these Southern Utes were badly deceived, I have no doubt, but not by Commissioner Brunot. He did not, as I understand, obtain their signatures, perhaps did not even see them. Other parties were sent from Los Pinos (Cochetopa) to this place (Tierra Amarilla?) for that purpose

43. Kappler, I, 151.

and it was these parties, as a witness to their signature informs me, who deceived them.<sup>44</sup>

But the making of a treaty and its execution continued to be two quite different matters. Both the legalism of the government and the personal desires of the Indians militated against success. The Capote and Wiminuche continued to deny the validity of the agreement of 1868 and refused to go to the Cochetopa agency for their annuity goods. They continued to visit the agency at Abiquiú, particularly the Capote. The Wiminuche, living farther afield where the game was more abundant, were inclined to be more independent of government aid.

Since contact with the settlements was inevitable so long as the Ute came to Abiquiú, conditions continued to be detrimental to the Indians and annoying to the whites. Trouble was bound to occur sooner or later. When game was scarce and government rations were insufficient, the nomad appropriated stock. "Lo, the poor Indian," had been stealing, was a common complaint. Perhaps worse might happen if it was true that "the Indians were accostumed to abuse the citizens in every possible manner, frequently shooting down stock in the corrals and offering indignities to defenceless women . . ."<sup>45</sup>

On the whole the Capote and Wiminuche were peacefully inclined, merely displaying an exasperating stubbornness in refusing to move onto the reservation. So peaceful, in fact, that the army authorities ordered the abandonment of Fort Lowell in June, 1869. A few citizens in Rio Arriba protested; but it was a sound move,<sup>46</sup> troops only being recalled twice to preserve order.

The need for food led some of the younger Capote to steal stock, in the spring of 1872, on a larger scale than usual. Company K of the 8th cavalry, stationed at Fort

44. Russell to Commissioner, 6/21/76, R198/76. See also Hatch to A. A. G., 9/30/76, W1148/76.

45. *The Daily New Mexican*, 3/29/72, 7/3/69.

46. Hanson to Clinton, 8/16/69, C419/69. But see Army to Parker, 7/7/69, A279/69.



Wingate, was ordered to Tierra Amarilla in April. A meeting with Chief Sabato and thirty followers ended in a brisk skirmish. The authorities had demanded the cessation of depredations, the return of the stolen stock, and the surrender of the thieves. Rather than precipitate a fight at once, the officers resorted to strategy. The lieutenant in command asked for eight warriors to accompany him to Santa Fé to have a talk. "I did this at the suggestion of Major Armstrong, their Agent," he said, "as we conceived that it would be a good plan to obtain Sabato and some of his warriors as hostages for the delivery of thieves and stolen stock." Upon the refusal of the Indians to accede to the proposal, the military attempted to arrest the band. They broke through the cordon of soldiers, secured more help, and invited the officers to have a fight. The invitation was accepted; as a result, one Indian was killed and one white man wounded.<sup>47</sup>

General Granger arrived on May 17 and definitive terms were laid down by the military calling for the surrender of the thieves and the return of the stolen stock. The insistence on these demands and the general desire of the Indians to remain at peace brought results during the summer months: at least one thief was given up and some horses and cattle were brought in. The whole incident was more of a tempest in a teapot than a serious threat of an Indian outbreak.<sup>48</sup>

But such a "tempest" was not a welcome matter. In order to prevent a recurrence in the future the Indians must receive rations from the government to supplement their game supply. This placed Washington in a dilemma

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47. I. D. Stevenson to A. A. A. G., 5/6/72, I1475/72. Armstrong to Pope, 5/6/72, P830/72. *The Daily New Mexican*, 4/4/72.

J. S. Armstrong served as agent at Abiquiú from the summer of 1871 to the spring of 1873. He was nominated for the position by the Presbyterian board for foreign missions and resigned under pressure from the superintendent. LB 102, p. 486, 549, A279/73, D129/73.

48. *The Daily New Mexican*, 5/27/72, 7/5/72. John W. Pullman to A. A. A. G., 6/2/72, W6/72. O. O. Howard to Pope, 6/13/72, P26/72. Pope to Armstrong, 7/1/72, P26/72. Pope to Walker, 7/7/72, P26/72.

because the agents had been instructed that "treaty" Indians would be supplied only on the reservation, and they must be induced to go there "notwithstanding the efforts of outside and interested parties to induce them not to do so."<sup>49</sup> But the Indians refused to go; so when Agent Hanson signed a contract to feed the Ute at Abiquiú in the winter of 1869-1870, it was disallowed by Commissioner Parker. He, however, was subsequently forced to permit small purchases in open market, provided funds were available, until another attempt could be made to make the Ute change their minds; "if the Indians still refuse to go to their new reservation, the matter will be further considered by the Department."<sup>50</sup> By the end of the year he was about ready to surrender:

The Department having exhausted its persuasive power to incline them to a cheerful compliance with their treaty stipulation in this respect, without avail, I respectfully recommend that appropriate legislation be asked of Congress to relieve the Department and the Indians from the unpleasant dilemma in which both are involved, and that authority be given to aggregate the bands in question in some district in New Mexico which will be satisfactory to them."<sup>51</sup>

The Brunot agreement, by providing for an agency south of the San Juan mountains, was the next step in solving the problem. The special commissioner had recognized that to move the Ute to the Cochetopa agency "would be unjust, and a needless cruelty";<sup>52</sup> therefore, in the summer of 1876 the agency was moved to the head of the Uncompaghre Valley, southwest from Cochetopa, nearer to the San Juan country, but still north of the main mountain mass. A year later a location was selected south of the

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49. Parker to Clinton, 11/23/69, LB 93, p. 151.

50. Parker to Clinton, 1/8/70, and 1/31/70, LB 93, p. 318, 397.

51. C. I. A., *Annual Report*, 1870, p. 5.

52. C. I. A., *Annual Report*, 1873, p. 85.

San Juan mountains, on the Rio de los Pinos,<sup>53</sup> and the agency was now known as the Southern Ute agency.

Meanwhile, the evil influence of the whites became so pronounced that an early idea of removing the old agency from Abiquiú to Tierra Amarilla was revived in order to eliminate the necessity of the Indians passing through the settled area around Abiquiú. Agent Hanson also urged the change on the grounds that the buildings at old Fort Lowell would rent for \$50 less per year, and were more suitable; the agent would have some tillable land, fine grazing, and fuel, and supplies could be purchased more reasonably. Armstrong renewed the recommendation and approval was finally given in the summer of 1872.<sup>54</sup>

With the long delay in executing the terms of the treaty, the conditions of the Wiminuche and Capote became increasingly worse. The women and children cried around the agency for food, which was dealt out sparingly, being purchased from the small regular appropriation made for the New Mexico agencies.<sup>55</sup>

Their case [Ute and Jicarillas] is a deplorable one. If this board could do anything to secure their being placed on a reservation of their own it would be doing a great work for them. They are now living in the open territory where anybody else may live, and the New Mexicans and Spanish-Americans are living among them; many of these are making their fortunes by selling liquor, as we find; and our agent reports that it is extremely difficult to secure from the Government a proper regulation as to these matters. We have one of the

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53. C. I. A., *Annual Report*, 1875, p. 98-99. F. H. Weaver, *Report*, 8/27/77, 45 Cong. 2 sess. Hse. Ex. Doc. 1, VIII, 441 (1800). See also 44 Cong. 2 sess. Hse. Ex. Doc. 1, IV, 422 (1749).

54. Hanson, *Report*, 9/3/70, 41 Cong. 3 sess. Hse. Ex. Doc. 1, I, 619-622 (1449). Hanson to Parker, 2/10/71, H200/71. Armstrong to Pope, 4/30/72, P863/72. Delano to Walker, 6/18/72, I1521/72.

The agency continued to be designated as the Abiquiú agency after the removal to Tierra Amarilla.

55. Hanson to Clinton, 3/29/70, C/1173/70 and 10/4/70, C1773/70. Clinton to Parker, 10/10/70, C1577/70.



very best of men there as an agent [Russell], and he finds his position very embarrassing.<sup>56</sup>

But events were moving to a climax. The increasing population due to the attractions of the mining region and farming country were hastening matters. The Brunot agreement had reserved a strip of country along the New Mexico-Colorado boundary line for the Indians. In order to reach the mines it was necessary to cross this territory, and the Indian grazing lands were made use of by the travelers who, in some cases, were not above settling on the more fertile portions. Again in the summer of 1876, hostilities were imminent and the settlers petitioned for troops, whom the agent was empowered to call for when assistance was deemed necessary. In this case Russell left the final decision up to General Hatch, who dispatched to the scene of trouble a few soldiers, but the incident passed without serious trouble. Money would have been more useful than troops, of course. As the agent complained, when he had expected in the spring instructions that would quiet the Ute, he had been informed instead, "No more money can be furnished you."<sup>57</sup>

56. Dr. Lowrie in B. I. C., *Annual Report*, 1874, p. 123.

Russell's predecessors had had the same problems of course.

UTE INDIAN AGENCY  
Abiquiu, New Mexico  
March 18th, 1872

I. Any person found having in their possession articles of Indian goods, ammunition, clothing, grain, etc., etc., obtained from the Capote and Weminutche Utes, the same shall be returned to the agency at Abiquiu and the parties will be prosecuted to the full extent of the law.

II. Any liquor dealers or others who are known to sell liquor to these Indians, will be prosecuted and made to suffer the full penalty of the law.

J. S. ARMSTRONG,  
U. S. Indian Agent.

*The Daily New Mexican*, 3/23/72. S. A. Russell was appointed to the Abiquiu agency in August, 1874.

57. Russell to Commissioner, 3/13/76, R91/76. Russell to E. Hatch, 9/28/76, R363/76. Russell to Commissioner, 10/16/76, R363/76.

The agents now corresponded directly with the commissioner at Washington because the superintendency of New Mexico had been abolished 6/30/74. Smith to Delano, 7/15/74, RB 24, p. 490. The last superintendent, L. E. Dudley, had succeeded Nathaniel Pope, November, 1872, assuming charge in December.

However, the pressing needs of the Ute did finally bring some relief. For the year 1876 only, the sum of \$10,000 was allotted from the treaty funds, despite the fact that the Indians were not yet officially on the reservation. But that event was not far off; the agency was soon to be moved, and the fear of former years of an Indian war had now practically passed away, since the Ute were considered as being too weak for real resistance, it being calculated that they could not bring into the field three hundred armed men. In the face of this decline in strength, force could be used to move them without precipitating a conflict. On the whole, a policy of conciliation and observance of the treaty provisions rather than compulsion pervaded the ranks of the New Mexico officials toward these northern Indians in the middle of the 1870s. Superintendent Dudley was even advocating the adoption of the Golden Rule.<sup>58</sup>

But golden rule or otherwise, the final roundup of the Ute and their ally, the Jicarillas, was drawing near.

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58. Dudley to Smith, 10/27/74, in C. I. A., *Annual Report*, 1874, p. 304; see also *ibid.*, 1875, p. 4. Hatch to A. A. G., 9/30/76, W1148/76.

## CHAPTER VII

## THE MOACHE UTE AND JICARILLA APACHE

CIMARRÓN, in northeastern New Mexico, became the rendezvous for the Moache Ute and Jicarilla Apache after the removal of the agency from Taos in 1862 by Army. According to the terms of the Tabaguache treaty of 1863, the Moache might locate on the reservation set aside in the San Luís valley, Colorado. They declined to leave their old haunts, however, and continued to be the cronies of the Jicarillas, sharing the rations that were intermittently issued by the government. As with the other tribes, conditions were unsatisfactory, both to the Indian and the white man, and the usual complaints were heard: "While *nominally* at peace they [the Indians] commit crimes and outrages of every kind with entire impunity, because there is *no law* which can reach them *promptly*, and *efficiently*."<sup>1</sup>

The arrival of Superintendent Norton in New Mexico in June, 1866, two years after the above complaint was registered, was an interesting event for several reasons: he illustrated the weakness of the system of inexperienced political appointees, made clear in sharp terms the destitute condition of the Indians, and brought to light the inadequate financial support given to the work of the Indian service in New Mexico. Faced with savages almost naked because no goods had been issued for nearly a year, and verging on starvation for the lack of game and opposition of the Plains Indians to their chasing the buffalo, "What am I to do?" he asked. "What is the cheapest food to give them?" "Write me immediately . . . & tell me what to do," he demanded, "I'm lost."<sup>2</sup> And to add to his harassment there was no agent at Cimarrón at the time. In desperation he ordered L. B. Maxwell, a rancher, to feed the Indians to the maxi-

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1. Watrous to Steck, 3/10/64, I524/64.

The commissioner at this time answered the complaint of Watrous by stating that the Indians were subject to the same laws and process of punishment as the white man. Watrous had said that the Intercourse Law of 1834 was a dead letter. Usher to Dole, *ibid.*

2. Norton to Cooley, 6/24/66, N48/66.



mum cost of \$500 per month until further instructions arrived from Washington.

The plight of Norton was an old story to the commissioner and he took the officially correct and necessary step of disapproving the expenditure:

It is commendable to feed the hungry and relieve the destitute; but this Department has no power to do so except so far as Congress may place funds at its disposal for that object. The annual appropriation for the Indian Service in New Mexico (aside from that for the Navajos []) is \$50,000. When over \$20,000 of this is expended for goods, and the cost of transporting the goods is paid out of it, the residue, as you will perceive, will not be sufficient to justify any such expenditure as you have instituted as Maxwells.

Experience has demonstrated that so long as Indians are fed at public expense they will make little or no efforts to sustain themselves. Besides, it has not been, and cannot be the policy of the Department to subsist Indians whose habits are nomadic and whose hunting grounds are unlimited.

Moreover, the indebtedness that the superintendency had fallen into in the past must not occur again, he wrote. The whole matter in a nutshell was "not a question of humanity, but of law."<sup>3</sup>

But the matter was also something else; it might be a matter of war, that chronic cry along the Indian frontier in New Mexico. And if war occurred, "*I wash my hands* of all blame in the matter," Norton said. The superintendent, of course, was in a more uncomfortable position than the commissioner. He saw at first-hand the actual state of affairs and was the immediate buffer for the complaints of the Indians demanding food and the cry of the settlers demanding protection for their flocks. "I regret," he wrote "that I am to be cursed, and overrun by a daily unceasing throng of filthy, lousy, naked and starving Indians, crying aloud for food . . . [and] without the authority or ability to

3. Cooley to Norton, 7/19/66, LB 81, p. 8.

alleviate their sufferings;" all, he thought, on account of a lack of confidence in his integrity and judgment by Commissioner Cooley.<sup>4</sup> In criticizing his immediate superior, he was hasty; conditions were bad and morally wrong, but the commissioner was far from being free to handle the problem according to dictates of wisdom and humanity.

Point was given to the superintendent's complaint by the killing of a Ute in August. The Indian had asked a rancher for a sheep; when refused, a quarrel had followed and the savage was killed. His kinsman went to Fort Union, where the killer was taken for protection, and demanded blood for blood. Instead of the Mosaic law, however, the regular judicial procedure was followed. The evidence presented to the grand jury at Mora appeared insufficient for indictment, so the dispute was transferred to Santa Fé, where a compromise was affected. The superintendent paid \$400 to the brother of the dead man for distribution among the relatives. A rather high price, Norton thought, but it was preferable to war.<sup>5</sup>

This affair was used in an attempt to budge the commissioner from his position.

I know not what may be the result of this trial, Norton wrote, but do know that it originated in the refusal of the Department to sanction my action in feeding them . . . I have had my doubts whether you read the communication [an unjust doubt] or fully contemplated the injustice, and the result of your decision, as indicated in your letter to me of the 19th ult. . . ."

He recommended at least \$1,000 per month for each agency on the grounds that "These Indians—at both places [Abiquiú and Cimarrón?] *are absolutely starving*, and they must steal . . .,"<sup>6</sup> which, of course, would only result in retaliation with force.

4. Norton to Cooley, 8/15/66, N83/66.

5. Army to Cooley, 8/23/66, and Arny to Norton, 9/4/66, A304/66. Peace Agreement with Utah, 9/30/66, N107/66.

6. Norton to Cooley, 8/30/66, N89/66.

The commissioner was not to be moved. The lack of funds was an unanswerable argument in his opinion. He closed the matter by criticising Norton for having acted precipitately; he also pointed out the impossibility of maintaining the payments of \$500 per month, particularly if the same practice were adopted toward the other tribes in New Mexico, and admonished the superintendent for losing his temper.<sup>7</sup> The apparent *impasse* was solved by the military.

General Carleton was keenly aware of the necessity of feeding the Indians in order to keep them from depredating and possibly causing a general uprising. He was very reluctant to wage war and adopted the more salutary method of issuing rations. Instructions to this effect were forwarded to Lieutenant George I. Campbell on August 25; at the same time the Indians were informed that the slightest hostility would mean an end to the food supply. The ration issued amounted to one-half pound of beef and one-half pound of wheat meal per day to man, woman, or child, at a cost of about \$3,000 a month. Norton immediately claimed that he could have kept the cost down to \$1,000 a month;<sup>8</sup> and he probably could, the cost being partly a matter of the generosity of the giver.

Lieutenant Campbell with a detachment of troops had been stationed at Cimarrón in August at the request of Maxwell, because the Indians were unruly. Sometime after their arrival, a drunken Indian initiated a quarrel with two soldiers; nothing serious resulted. But the military did not feel that it was their real task to manage the Indians; hence the need of an agent was felt. This situation was remedied with the arrival of Erasmus B. Dennison in November.<sup>9</sup>

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7. Cooley to Norton, 9/15/66 and 8/22/66, LB 81, p. 219, 375.

Cooley, of course, was not unsympathetic in the matter: "Humanity and economy both call for every effort to prevent a war; but to exceed the means at the disposal of the Dept. in doing so would be making promises which we have no means, nor prospects of means to fulfil. This must not be done." Cooley to Norton, 9/17/66, LB 81, p. 379.

8. Carleton to Campbell, 8/25/66, A304/66. Brevet Maj. Chas. McClure to De Forrest, 9/25/67, N167/67. Norton to Cooley, 9/12/66, N100/66.

9. Dennison to Norton, 7/1/67, 40 Cong. 2 sess. Hse. Ex. Doc. 1, II, 197-98 (1324).



Relations between the whites and Indians became more amicable for the time being and the officials turned their thoughts to the matter of a reservation for the Jicarillas and the disposal of the Moache.

Several proposals for the location of the reservation were advanced. Norton favored the purchase of the Maxwell Grant because "It is useless to talk of removing them elsewhere; they would resist to the last extremity, and four times the cost of Grant, \$250,000, would be spent in less than one year in fighting to remove them."<sup>10</sup> The proposed site was forty miles wide and sixty miles long, with 3,000 acres under cultivation, a flour mill erected at a cost of \$50,000, a saw mill, and other buildings.<sup>11</sup> Carleton also favored a reservation east of the Sangre de Cristo mountains since it was cheaper to feed the Indians there; furthermore, removing them from the settlements to escape the influence of the white man was a waste of time because settlements would follow them,<sup>12</sup> a view hardly consistent with his policy toward the Navaho.

The alternative to the Maxwell grant was the Ute reservation in Colorado or some other location. The Moache logically belonged with their brethren, but the Jicarillas were more of a problem. They had been at one time attached to the Abiquiú agency. Army brought them east of the Rio Grande in 1861. One band, however, returned west, sometimes visiting the agency there and at other times coming to Cimarrón.<sup>13</sup> They did not get along any too well with the Ute, so the proposal to locate them in Colorado was eventually abandoned. In 1868 Governor Hunt advised the Washington office that the Jicarillas should be placed on a reser-

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10. C. I. A., *Annual Report*, 1867, p. 191.

11. Norton to Cooley, 10/10/66, N119/66.

The removal of the Indians from their usual haunts was generally regarded as involving considerable difficulty, even war. Davis to Taylor, 6/6/68, D1246/68. Getty to A. A. G., 10/23/67, A. G. O., LS, p. 345.

The Ute were regarded as brave fighters and stout enemies until their numbers decreased so much in the 1870's. Kit Carson considered them the best shots in the country.

12. Carleton to Maj. Gen. W. S. Hancock, 11/17/66, A. G. O., LS 43, p. 8.

13. Army to Taylor, 1/29/68, A368/68. N. H. Davis, *Report*, 1868, W26/69.

vation in the Territory of Utah. This suggestion was passed on to Special Agent Army with instructions to try to carry it out if the earlier proposal to send them to Colorado could not be realized.<sup>14</sup>

Army failed to accomplish anything and brought himself under suspicion as usual. He endeavored in a secret council with the Jicarillas

to make a treaty with them to go upon a reservation in the northern part of New Mexico, as he reported to me, but as, reported by Wemnedals, a principal chief, it was to move to Colorado. No treaty was made; these Indians wisely said it was necessary to have all the headmen of the tribe . . .<sup>15</sup>

The regular agents objected to his meeting with the separate bands in secret, a procedure which did not improve the prospects of success. He finally reported to Washington that the Jicarillas refused to go on a reservation in Colorado, but would accept a permanent location in New Mexico. The suggestion of placing them in Utah apparently was not considered.<sup>16</sup>

At the end of the year 1869 the military ceased to feed the Indians and the government tried to force the Moache to go on the Colorado reservation by stopping supplies at Cimarrón. When they returned from the hunt in January, 1869, and found out the new policy, they promptly resorted to the old tactics of killing cattle. It was generally agreed among the New Mexico officials that they could be moved only by force, and it was believed that supplies must be issued or war would result, an idea that was held by at least one citizen of the neighboring territory: Judge Hayden of Tabeguache Mills, Colorado, was convinced that "we are on the eve of one of the most gigantic indian wars of the age." "*Don't think I am humbuging you, these are facts.*" An exclamation point might have made it more emphatic,

14. Hunt to Taylor, 11/11/68, Colo. C1079/68. Hunt to Taylor, 11/12/68. Colo. C1080/68. Taylor to Army, 11/21/68, LB 88, p. 314. Army to Taylor, 12/5/68, A681/68. Hunt to Taylor, 12/12/68. Colo. C1181/68.

15. Davis in C. I. A., *Annual Report*, 1869, p. 256.

16. Army to Taylor, 1/14/69, A33/69.

but its substance was slight because the agents at Cimarrón and Abiquiú reported that their Indians were quiet. Moreover, the superintendent had promptly resumed the feeding policy,<sup>17</sup> and General Getty as early as December had stationed 100 men at Cimarrón.

The general situation was further complicated by the sale of the Maxwell grant to an English colonizing company. It was doubtful that they would submit to the impositions of the Indians as patiently as Maxwell had done; he claimed that they had cost him thousands of dollars because bribery was preferable to force in maintaining friendly relations. Furthermore, the sale of the land meant that intensive colonizing would result in a further influx of whites in addition to those attracted by the mines around Elizabethtown. The company soon learned that trouble could arise. A Jicarilla was killed by an employe and the resulting claim for redress was settled for the sum of \$30 in cash, \$70 worth of goods, and two ponies. The agent then warned the Indians to stay out of the town of Cimarrón after dark and threatened to lock them up in the jail that was shortly to be constructed.<sup>18</sup> The law of the whites was steadily encroaching on their freedom of movement.

After less than a year's service, Agent Roedel<sup>19</sup> summarized the situation at Cimarrón in a very informative letter:

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17. Daniel J. Hayden to Wm. Craig, 3/16/70, A873/70. Clinton to Parker, 11/2/69, C658/69; 12/4/69, C730/69; 5/14/70, C1326/70. Maxwell to Grier, 12/7/69, C798/69.

18. Wilson to Clinton, 9/11/70, C1699/70. Arny to Parker, 9/12/70, A1370/70. Roedel to Pope, 3/27/71, P195/71.

If the possibility of war was exaggerated in those days, individual experiences could develop a feeling that the Indian was an undesirable neighbor: "A Jicarilla Indian was recently killed on the trail between El Embudo and Taos, under the following circumstances: The Indian had stolen a mare from one Antonio Griego, but the theft having been almost immediately discovered, he was hotly pursued and soon came up with, when he threw down his bow and arrows in sign of surrender, and walked to meet his pursuers with a large knife concealed in the folds of his blanket; on drawing near to them he attempted to pull out his knife, when he was shot through the head and instantly killed." *The Daily New Mexican*, 3/28/70.

19. Erasmus B. Dennison, superseded as agent when the policy of appointing army officers was adopted, was reappointed in September, 1870. He was shortly removed on the charge of habitual drunkenness and was succeeded by Charles F. Roedel, in December, on the recommendation of the Presbyterian Board. John Collinson to Sherman, 10/1/70, A1403/70. Parker to Delano, 11/1/70, RB 20, p. 41.



My task of keeping them quiet thus far has not been a small one. Last fall they were assured by unscrupulous men that their annuity goods were on the way here in order to pacify them about the sale of the Maxwell Grant. When I took charge of the Agency in last December without a blanket, or a shirt, or a pound of tobacco & without a single dollar that could be expended for such, they gradually settled in the belief that I had appropriated their goods to my private use, certainly not a very pleasant state of things for a new Agent. I have patiently born it all & labored for their good amidst many discouragements hoping that the Government would see the absolute necessity of supplying them liberally this fall.

I exceedingly regret to learn that no portion of the appropriation of \$30,000 for clothing & blankets for the seven bands of Ute Indians is to be expended for the benefit of the Mouache Utes of this Agency. It may be that there are legal objections to a division of said appropriation on account of the treaty of March 2, 1868. If such objections exist & are insurmountable & their is no other way to appropriate \$2,500 or \$3,000 for blankets, clothing etc for the Mouache Ute & Jicarilla Apache Indians of this Agency, then it will be well for the Government to make the necessary arrangements for a war next spring if not sooner, not merely with the Indians of this Agency but with all the Ute tribes for there is a perfect understanding among them in regard to this matter. Leaving the most important point, that of the fearfull loss of life in such an event, entirely out of sight, this matter becomes a mathematical question whether it is cheaper for the Government to pay out hundreds of thousands of dollars to fight Indians or to appropriate about \$3,000 to half naked Indians, who have been friendly for many years & as far as I know have not even been accused of murdering a citizen during that time.

The two Indians of the Mouache Utes, who's names are signed to the treaty of March 2, 1868 were induced to go to Washington without even the knowledge of the tribe & claim that they never

signed said treaty & in this statement they are supported by Urah the main chief of all the Utes, who spend several weeks here this summer & named to me a prominent man who made the signatures. The above mentioned two Utes are not living with the tribe to this day, a fact showing clearly the bitter feeling of the tribe in regard to this fraud perpetrated upon them. They have during the winter season actually suffered & waited patiently nearly three years for the Government to relieve their pressing wants. They cannot obtain the means to buy clothing with around here, as there is hardly a deer or an antelope within 25 miles of this Agency. The Country is being rapidly settled & the settlers feeling the strength of numbers deem small provocation sufficient cause to shoot down an Indian.

The Indians are here & must live; they will no sooner freeze or starve than a white man as long as they can obtain the means of living either by stealth or force. I have previously done all that official duty requires of me, but christian duty to my fellow men requires that for the sake of the life & property of the settlers & the success of the Indian Policy of the Government I should make every effort to prevent an outbreak & for this reason I make this communication & beg your favorable endorsement of this most important matter, that relief may be granted speedily, for without such relief we have nothing but inevitable war before us.<sup>20</sup>

Soon after penning these lines, Roedel resigned from his position because the salary of \$1,500 was inadequate; it was not enough to meet his expenses. He was not a seeker after the position in the usual sense, but had responded to an appeal of the Presbyterian Board, broadcast in their paper, that men were needed to staff the Indian agencies. Doubtless he was attracted by the "higher motive" that Dr. Lowrie considered an agent should be governed by.<sup>21</sup> His

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20. Roedel to Pope, 7/26/71, P382/71.

21. Conference with Missionary Societies, Arlington House, Washington, 1/11/72, in B. I. C., *Report*, 1871, p. 171. Lowrie to Walker, 2/26/72, I1210/72.

resignation was accepted in the spring of 1872, and Superintendent Pope in the fall appointed R. H. Longwill, a resident of Cimarrón and a director of the English company, in temporary charge.<sup>22</sup>

Almost immediately upon his appointment, Pope had advanced the suggestion that the Jicarillas be removed to the southern Apache reservation and that the Moache attach themselves to the Abiquiú agency. The board of Indian commissioners approved the proposal and the superintendent was instructed in November, 1871, to effect the removals. Agent Pfeiffer made contact with the Moache who were visiting at the Cochetopa agency and reported their refusal to abandon the Cimarrón country. In March, Roedel conversed with the chiefs of the Jicarillas and received the same reply. If the attempt were made, however, he believed that a force of troops should be ordered to Cimarrón to protect the settlers, otherwise nothing more should be done about the matter.

Pope was not satisfied with the reports and dispatched Emil Fritz in April as a special investigator. He talked with Kaniache and received substantially the same answer as Pfeiffer had reported from Colorado. They were willing only to consider a reservation in the Cimarrón country. He was more optimistic in regard to the Jicarillas, but had difficulty in finding them because they had shunned the neighborhood of Cimarrón when told of smallpox by parties "no doubt interested."<sup>23</sup>

22. Pope to Walker, 11/8/72, P216/72. Dudley to Smith, 4/10/73, D17/73.

Nathaniel Pope was appointed superintendent in October, 1870. He served two years. His subsequent attempt to supersede Dudley was regarded unfavorably in some quarters: "*the consummation of such an iniquitous thing must be prevented at all hazards.*" "For the sake of the church, the Indians, the Government, and the President's Indian Policy do not let Col. Pope be reinstated." D. S. McFarland to O. O. Howard, 3/17/73, H43/73.

23. Fritz to Pope, 1872, P7/72. Pope to Parker, 12/30/70, P66/70. Acting Secretary of Interior to Clum, 11/13/71, 1985/71. Roedel to Pope, 3/22/72, P789/72. Pfeiffer to Pope 9/6/72, P173/72. Clum to Pope 11/15/71, LB 103, p. 291.

"It is calculated that an agent can make a fortune during a term of four years: but how they can do it remains a mystery." *North American Review*, XC, 75. (Jan. 1860.)

Lieutenant A. J. Alexander wrote in 1866 from Santa Fé that it was a well known fact that not one-half of the presents reached the Indians. Alexander to F. A. Dick, 12/11/16, B107/67.



The "interested" parties must have been few in number. The prevailing sentiment in the country was in favor of removing the Indians. The Maxwell Land Company was fearful of losing settlers who were annoyed by the Indians. Furthermore, they made a nuisance of themselves lounging around Cimarrón and getting drunk, fortunate if they did not get into more serious difficulty. The tension was again heightened in the summer of 1872 when the possibility of the government once more suspending the rations was in the air. In this case, however, the superintendent was authorized to use his own judgment about the necessity of feeding his charges until the removal was effected. Finally, the Jicarillas did make a promise to go to Fort Stanton when they returned from the hunt in December. If they were sincere, it was high time, Pope thought: "The pernicious influences about Cimarrón render it impossible to control the Indians, and as it is growing worse I am making every effort to accomplish their removal."<sup>24</sup> But the Jicarilla did not go to Fort Stanton. The next superintendent, Dudley, favored the same policy, but was soon led to make further suggestions because the Indians were again becoming a serious worry in the spring of 1873. Wandering back and forth across the New Mexico-Colorado boundary, they annoyed the settlers in both territories, "and the settlers universally desire their removal."<sup>25</sup> To satisfy this desire, at least to the extent of persuading Kaniache's band to return to their proper headquarters at Cimarrón from the Arkansas river, J. L. Gould was sent to Colorado in April. The Moache complained to him that it was necessary to depredate in order to live, a statement that carried little weight with him. He recommended that a force of troops be dispatched to protect the settlers.

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24. Pope to Walker, 10/16/72, P173/72. *The Cimarron News*, 9/14/72, in W375/72. Collinson to W. Belknap, 9/27/72 W375/72. Clum to Pope, 10/19/72. LB 110, p. 38.

The *News* thought that the settlers would be very pleased if the Indians went to a Terrestrial paradise 500 miles away.

25. Dudley to Smith, 4/10/73, D17/73.

The Washington office was reluctant to apply force. Instead, the superintendent was advised to persuade them to go on the reservation by explaining the benefits. If still unsuccessful, he could then try to remove both the Jicarillas and Moache to a location on the Dry Cimarrón, in the north-eastern corner of the Territory, where they would act as a barrier against the Comanche, according to Dudley. But a military post would be required there to keep them settled, and the government could not authorize such an expense.

Dudley was favorable to the policy of persuasion rather than force, but he came to the end of his patience in June. He visited southern Colorado to hold a council with the recalcitrant band and found the settlers in the Cuchara valley arming against the Indians. The superintendent issued some rations and ordered Kaniache to go to the Cochetopa agency and never return to that region again. He had no sooner returned to Santa Fé than reports arrived of their return, so he called upon the military for aid. The Indians were sent flying northward as they had been ordered previously to do and troops were stationed in the Spanish Peaks country for the rest of the summer. Washington had finally authorized force as a last resort, and the band of Kaniache, sadly reduced in numbers, thought discretion the better part of valor.<sup>26</sup>

Along with these difficulties several changes of agents took place at Cimarrón. Longwill was succeeded by Gould in March, 1873, because it was thought inadvisable to have a director of the Maxwell company that had the contract to feed the Indians superintend its performance. Gould in turn was superseded by Thomas A. Dolan in August. In addition to his regular appointment, Dolan was shortly commissioned as a special agent to negotiate a treaty for the removal of the Jicarilla. This move was made unknown to

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26. Clum to Dudley, 4/28/73, LB 112, p. 180. Dudley to Smith, 6/27/73, D304/73; 6/28/73, D265/73; 7/9/73, D267/73; 5/8/73, L111/73. Gould to Dudley, 5/3/73. Dudley to Pope, 6/28/73, I453/73. Alexander to A. A. A. G., 7/8/73, D304/73. Dudley to Commissioner, 7/5/73, D251/73.

Dudley, who naturally was surprised and a bit irritated.<sup>27</sup>

Acting under detailed instructions from Washington, Dolan proceeded to Abiquiú to make contact with the western Jicarillas; then he returned and secured the signatures of the chiefs who hung around Cimarrón, José Largo and San Pablo. The boundary of the reservation extended along the San Juan river from where it crossed the Colorado line to the eastern boundary of the Navaho reservation, thence north to the territorial boundary and east to the beginning point. This area was set aside by Executive Order on March 25, 1874.<sup>28</sup>

The treaty further provided that other Indians friendly to the Jicarillas might locate there, but no unauthorized persons should ever intrude; the United States agreed to pay \$5,000 annually for five years, and \$30,000 annually for the next ten years for education; the Indians agreed to relinquish their claim to all other lands and promised to send their children to school; if the Ute agreed, the Jicarillas would be attached to the agency in southern Colorado; the government promised to punish according to law those whites who committed wrongs and to pay damages, and Indian wrongdoers were to be punished in a similar way; roads and railroads could be constructed across the reservation; and no payments were to be made unless the Indians were living at peace on the reservation. It was signed by forty-three members of the tribe.<sup>29</sup>

The signing of a treaty did not necessarily mean the immediate removal of the Jicarillas any more than in the case of the Ute. They were yet to roam their native haunts for several years with the usual difficulties. The territorial legislature passed a hypocritical resolution<sup>30</sup> to the effect

27. Dudley to Smith, 4/10/73, D17/73; 5/8/73, D94/73; 3/15/73, D372/73; 12/4/73, D893/73.

28. Kappler, I, 874.

29. Jicarilla Apache Treaty, December 12, 1873, Land Record Section of Land Division of Office of Indian Affairs, *Unratified Treaty Book*. Dolan to Smith, 12/21/73, D6/73.

This letter of Dec. 21 1873, Dolon to Smith, with draft of the treaty was published in NEW MEXICO HISTORICAL REVIEW, III (Jan'y 1929), 59-71.

30. Transmitted 3/23/74 to the secretary of interior and C. I. A., R200/74.



that the people were generally friendly and sympathetic toward them, and recommended that a permanent agent be stationed at Cimarrón and an attempt made to civilize them and the Ute. The people, of course, no doubt were sympathetic, but as neighbors the Jicarillas were unwelcome; and the task of civilizing them in the Cimarrón environment, where whiskey flowed freely and the traders exploited them, was a doubtful experiment.

Another attempt was made in the summer of 1874 to break up the whiskey traffic. One day in June, six Ute went on a spree and three were killed before the affair ended. One Indian killed the other two and was in turn executed by order of a chief. Maurice Trauer was indicted and tried for selling the liquor, but was acquitted. Longwill recommended that the government employ a private detective in the person of Robert Grigsby to secure evidence against such lawbreakers. This was acted upon favorably in August.<sup>31</sup> Grigsby apparently did not solve the problem because a Mrs. Margaret Wilson was arrested in the spring of 1875 "for about the forty-eleventh time on this charge

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Perhaps the situation called for an agent who could measure up to the ideal of Commissioner Smith, who thought he should be "a man of nerve and hard sense, who has gone to his agency with the ruling purpose to do good, who believes that an Indian is a fellow-man . . .," and who would be guided by the principles that "The first requisite in the management of all the Indians in this class [the wilder tribes] is firmness. All outrages or depredations should be followed up promptly, and punished at all hazards and at any cost."<sup>33</sup> This description applied fairly well to

31. James A. Clifford to Commissioner, 7 3/74, C473/74. See also I914/74. Longwill to Smith, 7/25/74, L352/74.

32. *The Daily New Mexican*, 3/24/75.

Legal procedure was not necessarily futile, but it certainly did not end the traffic. Guadalupe Maro had been tried in 1867. The jury disagreed, but the defendant then plead guilty, was fined \$1.00 and costs (about \$500) and sentenced to imprisonment for one year. Norton to Taylor, 8/3/67, N115/67.

33. *Annual Report*, 1874, p. 5, 14.

Alexander G. Irvine, appointed special agent in August, 1875.

A telegram received yesterday brings word that as Major Irvine, the Ute agent at Cimarrón, was making his weekly issue to his wards, one of the Indians affected dissatisfaction with the meat issued, and threw the piece given him into Irvine's face; Irvine threw the meat back to the Indian, when both drew revolvers and fired with effect. The Indian is not expected to live, while Irvine was wounded in the hand. We understand an application was made for troops by one or more citizens of Cimarron, but declined by Gen. Granger.<sup>34</sup>

But General Granger did send troops. Thirty cavalrymen arrived from Fort Union under Lieut. Geo. A. Cornish, and the military took over control of the agency for the winter. Meanwhile, due to the need of an able man at the Navaho agency, Irvine had been transferred. Before leaving he recommended that the Jicarillas be disarmed, dismounted, and removed to Fort Stanton while the soldiers were on the scene. This idea found favor with the secretary of the interior, but was not carried out due to lack of funds. General Pope was authorized to effect the removal whenever the office of Indian affairs made the necessary preparations and provided the funds,<sup>35</sup> but the civil officials were not prepared for any such task at the moment.

Perhaps there was justification for the action of the Indian. He may have been under the influence of liquor, the white man's brew. And the chances are good that the meat was below par. At least Sergeant James Hickman reported that the beef issued at Cimarrón was not fit for a dog and that the ration was only half of what it should be. The explanation for such a situation might be found in a later report concerning the procedure for supplying the

34. *Daily New Mexican*, 11/17/75; and 11/18/75, 11/29/75, 11/30/75.

35. Irvine to Smith, 11/24/75, I1557/75. Smith to Irvine, 11/24/75, LB 128, p. 87. Pope to Drum, 12/17/75, W13/76. Sheridan to Pope, 12/14/75, W10/76. See also C1579/75.

rations which indicated that undue profits were made by the contractor.

The beef contract in 1877 was let to Longwill at \$3.75 per 100 pounds, which was less than meat could be purchased for. But "Of course Dr. Longwill had no intention of filling the contract in person . . ." He "knew that by giving San Pablo and Jose Largo the head chiefs a drink of whiskey each ration day their influence could be had to quiet the complaints of the whole tribe . . ." Furthermore, "Dr. L. sublet his contract to O. K. Chittenden former sheriff of this county (at a bonus of course). Chit knew the ropes as well as the Dr. and commenced filling his contract with old Bulls poor stags and shelly cows. Not more than fit for wolf bait . . ." The bid should have been rejected, the writer said, because it could not be filled at the price, "but the Dr belongs to the New Mexican Ring . . ." "Well this is a disgraceful but true picture of Indian treatment here—a disgrace to the Indian Bureau of your department . . ." And the result was that the poorly fed Indians depredated on the outside settlements<sup>36</sup> until they were finally rounded up and transferred to their respective reservations.

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36. S. H. Irvin to secretary of interior, 5/21/77, I539/77. Hickman to commanding officer at Fort Union, 2/16/75, W334/76.

After writing the above Irvin reported that Longwill had taken another contract at \$4.25 and sublet it at \$3.75. The butcher told the writer no fit beef could be purchased under \$5.00 per 100.

Agent Pyle stated that the report of Hickman was false in every respect. Pyle to Smith, 4/29/76, P171/76, and 5/1/76, P173/76.

Longwill had stated earlier that the Indians desired to remain at Cimarrón and many settlers considered them a protection against the Plains Indians, "so that I do not feel competent to advise in regard to their removal." Longwill to Smith, in C. I. A., *Annual Report*, 1874, p. 305.



CHAPTER VIII  
THE NORTHERN ROUNDUP

THE BRUNO agreement with the Ute and the Dolan agreement with the Jicarillas definitely foreshadowed the end of the free-roaming bands of Indians in northern New Mexico. Moreover, the mounting tide of discontent among the settlers and the increasing depravity of the Indians were powerful stimuli for the early consummation of those agreements. Consequently, the old agencies at Cimarrón and Abiquiú were soon to become matters of history. A certain amount of fumbling was yet to occur, it is true, particularly in regard to the Jicarillas, but the final outcome was clear.

Military control at Cimarrón was not compatible with the formal duties of the army, and it was not satisfactory to some of the territorial citizens. Furthermore, on the advice of the war department, the Indians were not to be moved before spring. Therefore, the reinstatement of civilian control was soon brought about. John E. Pyle, another protege of the Presbyterian board, was appointed agent in November, 1875, despite the recommendation of the sheriff of Colfax county and others that a local resident be appointed. The new incumbent took charge the following January. In face of the uncertainty surrounding the future of the agency, he recommended in April that his charges be kept there and that an effort be made to educate them by employing a teacher at a salary of \$500. This proposal, of course, was out of tune with the times. The Indians were to be removed; the exact time and place was merely a bit uncertain.<sup>1</sup>

Inspector McNulta made the specific recommendation in September, 1875, that the Cimarrón agency be abolished. This proposal found favor with the commissioner in Wash-

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1. Smith to Secretary, 11/13/75, RB 27, p. 113, 490. Pyle to Smith, 8/4/76, in C. I. A., *Annual Report*, 1876, p. 104-05. O. K. Chittenden to Smith, n. d., C1473/75. Wm. O. Cunningham to Smith, n. d., C1575/75. Pyle to Smith, 4/29/76, P170/76. Pyle to Lowrie, 6/16/76, L219/76.

ington, but since the aid of soldiers was considered necessary and they were not available during the fall, action was postponed. In the spring the project was again pressed. The commissioner then proposed to move the Cimarrón Ute to Colorado and the Jicarillas to Abiquiú temporarily until funds were sufficient to place them on the Dolan reservation.<sup>2</sup>

At the same time when McNulta suggested closing the Cimarrón agency, a proposal was advanced to move the Jicarillas southward to the Mescalero reservation. This idea met approval in some quarters and opposition in others. The Dolan reservation included land attractive to settlers and lay across the route to the mining region. The Indians had not been actually located there; which was presumed to indicate a lack of desire on their part to occupy the reservation. Therefore, why not restore the area to the public domain? At least so reasoned the territorial officials as they forwarded a memorial to the president to that effect.<sup>3</sup>

Russell, the agent at Abiquiú, maintained that the Jicarillas wanted to be located on their own reservation, and above all "they promptly and persistently objected to going" to Fort Stanton. If the government did not carry out the Dolan agreement whereby the Jicarillas promised to move to the San Juan country, what assurance did they have of just treatment by promising to move southward?

"It appears to me," the agent wrote, "that a fair and candid presentation of this case, is this.—The Government professes to want these people to become self-supporting, and to adopt the habits of civilization. These Jicarilla Apaches express a desire to do so. Will the Government give them the opportunity?"<sup>4</sup>

Apparently the government would give them the opportunity, but not near Abiquiú; the agent lost his fight, at

2. McNulta to Smith, 9/9/75, M775/75. Smith to secretary of interior, 2/29/76. RB 27, p. 476. See also W1691/75.

3. Crothers to Smith, 9/14/75, C1214/75. Memorial to president, 3/6/76, E31/76. Russell to commissioner, 1/25/76, R50/76.

4. Russell to commissioner, 2/6/76, R60/76, and 5/24/76, R169/76.

least temporarily. The commissioner recommended that the reservation be restored to the public domain on the grounds that congress had not ratified the agreement, that the Indians were averse to removal there, and that the settlers desired the land. This was carried out by Executive Order, July 18, 1876.<sup>5</sup>

Next, the Cimarrón agency was formally abolished, September 30, 1876, due to the failure of congress to appropriate money for the salary of the agent. Responsibility for the Indians there was transferred to the Pueblo Indian agent, Ben M. Thomas,<sup>6</sup> who placed M. Pyle as farmer in direct charge until the Indians were transferred elsewhere.

Thomas had no faith in the use of the military to effect the removal. The soldiers could no more round them up, he thought, than they could round up a flock of wild turkey. He recommended, therefore, that the agency be closed, a force of soldiers stationed to protect the settlers, and the Indians told to select one of the other agencies for their headquarters or be treated as hostiles. This should be done in the summer of 1878 when the supplies on hand at Cimarrón were exhausted.<sup>7</sup> Inspector Vandever concurred in this view, and the commissioner passed it along to the secretary of the interior, recommending that no more rations be issued after March 1, and that the war department should be asked to coöperate.<sup>8</sup>

The military were willing to help, but not on the basis suggested by the Indian office. Commissioner Hayt wanted them to finance the removal and seek reimbursement from his office upon presentation of proper vouchers for expenses. General Sherman advised against this procedure because he feared that the war department would never be repaid. All he was willing to do was to provide a military escort enroute to the reservations. But this was a minor point and

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5. Smith to secretary of interior, 7/15/76, RB 28, p. 272. Kappler, I, 874-75. C. I. A., *Annual Report*, 1876, p. 23.

6. Smith to Pyle, 8/22/76, LB 135, p. 13. Galpin to secretary of interior, 9/18/76, RB 28, p. 348.

7. Thomas to commissioner, 12/20/77, T1/78.

8. Hayt to secretary of interior, 1/14/78, RB 30, p. 28; see also p. 236.



plans were perfected for the final move. Instructions were sent to Thomas, Russell, and to Francis H. Weaver at the Southern Ute agency. April 10 was fixed as the last day for issuing rations at the old agencies. The Indians were to be taken care of for seven days by their old agent after arrival on the reservation, and contractors were to be notified not to fulfill their contracts for more than the amount needed for that limited period. With the stage all set, the removal was not affected. General Pope could not spare the necessary troops because of difficulties in Colorado with the Ute.<sup>9</sup>

Ignacio, a leader of the Capote and Wiminuche in southern Colorado, was becoming a source of trouble in the winter, so the settlers in the region called for protection. The 9th Cavalry was detailed for this duty in March and General Pope refused to bring additional troops from the Indian Territory for the removal project. When the Ignacio affair blew over in May, the war department was reluctant to aid in the removal because of lack of funds, and Sherman was objecting now to the use of force until he could consult with his subordinates.<sup>10</sup> However, something had been accomplished; the remainder of the Capote and Wiminuche Ute hanging around Abiquiú reluctantly departed to the reservation agency after they became convinced that no more rations would be issued at the old stand.<sup>11</sup>

It was another matter with the Ute at Cimarrón. They were still determined to cling to their old home. In this hour Thomas shared the reluctance of the military to use force, but he thought that with the aid of \$1,000 he could break the Indian's resistance by persuasion. If this plan was not acceptable to the Washington office, he recommended either that they be let alone or that the agency be

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9. Instructions to agents, LB 142, p. 16, 25, 55, 57. Hayt to secretary, 3/18/78, RB 30, p. 286. A. Bell to commissioner, 3/26/78, I454/78. Sherman to secretary of war, 3/27/78, W511/78. Leeds to Russell and Thomas, 3/28/78, LB 153, p. 6, 9. Hayt to Thomas, 4/4/78, LB 153, p. 79. Sherman to Sheridan, 4/8/78, W608/78; see also W657/78.

10. See W560/78, I395/78, T160/71, W765/78, T192/78, T225/78, W845/73, W5/79, W836/78.

11. Russell to commissioner, 5/14/78, R316/78; and 6/5/78, R397/78.

closed and the military allowed to do the best they could in removing them, a task which might necessitate a detailed man-hunt.<sup>12</sup> But the policy of persuasion was already in the mind of the commissioner, and it was finally followed.

Congress appropriated the sum of \$5,000 for the cost of removing the Indians, with the proviso that no more rations should be issued at Cimarrón after thirty days. The deadline was July 20, 1878; on the 18th the removal started. A number of the Ute were selected as policemen and paid a small sum for their services; the group as a whole was promised \$500 on arrival at the reservation agency. Part of them moved under the charge of Thomas by way of the Chama valley, the rest moved northward through the San Luís valley.

Spec. Agent James H. Roberts took charge of the Jicarillas at Cimarrón and started for Fort Stanton.<sup>13</sup>

The location of the Southern Ute agency south of the San Juan mountains in 1877 and the assumption that the Ute were officially located on their reservation had prompted the commissioner of Indian affairs to accept the view that "no further obstructions exist to the carrying out of the provisions of" the Brunot agreement.<sup>14</sup> Consequently, the first rations were issued at the new agency on March 1, 1878. However, it was not until summer that all the members of the three bands that roamed partly in New Mexico, the Capote, Wiminuche, and Moache, were actually on the reservation. But at least the long sought goal of a reservation had been reached; whether for better or worse only time could tell. Certainly the Ute had not reached Paradise:

Beyond the excessive and violent demand for rations and the threat of taking the life of the agent for establishing the agency on the Rio Pinos in-

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12. Thomas to commissioner, 6/24/78, T267/78.

13. Leeds to Thomas, 6/19/78, LB 142, p. 375. Leeds to Watkins, 6/25/78, LB 142, p. 416. E. C. Watkins to commissioner, 7/18/78, W89/79. Thomas to Hayt, 7/31/78, T364/78. A. A. G. to Pope, 7/17/78, W1265/78.

14. C. W. Holcomb to secretary of interior, 1/9/78, 45 Cong. 2 sess. Sen. Ex. Doc. 21, (1780).

stead of the Rio Navajo, as they claim to have been promised it there, there is but very little in their conduct to be condemned. I blush to say aught about this when I reflect upon how they have been treated by the government and imposed upon by individuals. The almost incessant alarm of war since I have been here has but little if any foundation, as the investigation by Lieutenant Valois, in which I accompanied him, proved. But I am grateful, however, for the presence of the military in this vicinity, because it averted, I have reason to believe, a war. I would be loath to arraign an entire community or settlement upon the charge that it would bring about a war, but I do not hesitate to say that there are not a few communities on this Western frontier who have the honor of being graced with individuals possessed of these admirable qualities which are capable of imposing upon poor Indians to such an extent as to make a military post a necessity. No class of individuals are more liberal in circulating their hard-earned money than the rank and file of our Army. They are fond of butter and eggs and vegetables. Their horses also like the grain. It is preferable to be at war than to be without money.<sup>15</sup>

Roberts had not had the same luck with his charges as Thomas. Only a small band of 32 Jicarillas under San Pablo arrived at Fort Stanton, the rest straggled over to Abiquiú. The southern group had arrived at their proposed home at an inopportune time because the Lincoln County war was under way. Consequently, they did not move onto the reservation immediately but remained near the fort for protection. Despite this precaution they lost a string of horses. Furthermore, the unsympathetic reception accorded by Agent Godfroy, and the failure of the government to redeem its promises, filled them with discontent.<sup>16</sup> They

15. F. H. Weaver to commissioner, 8/18/78, 45 Cong. 3 sess. Hse. Ex. Doc. 1, IX, 512 (1850).

16. Lieut. Col. N. A. M. Dudley to A. A. A. G., 1/23/79, W393/79. Godfroy to Hayt, 8/27/78, I1772/78; and 10/1/78, G456/78; 11/14/78, G520/78.



finally deserted from their new home in February, 1879, and returned northward to the Cimarrón country.<sup>17</sup>

The law forbade the issuance of further rations at Cimarrón, but Abiquiú was still an open port for government supplies. The final disposition of the Jicarillas lay in one of three ways: turn them over to the military at Fort Union for subsistence, feed them all at Abiquiú and ultimately locate them on a reservation in that region, or send them to the Indian Territory. Thomas favored the last named proposal, but the Jicarillas were more partial to their old haunts. The resort to the military for aid was the least attractive to the Indian office. The removal of the San Pablo band to Abiquiú was finally decided upon and after some uncertainty on the part of the Indians they finally departed in October to join their brethren.<sup>18</sup>

In order to make the final decision about the location of the Jicarillas, the commissioner instructed Thomas to bring five chiefs and an interpreter to Washington in the spring of 1879. As a result of this conference, the government decided to locate them in the Abiquiú country. Special Agent E. B. Townsend and Thomas were instructed to select a site, taking into consideration the adaptability of the land for allotment in severalty to the Indians, quality of soil, timber and water supply, and sufficient area to allot 320 acres per head of a family and 160 acres to each other person; private land grants, improved lands, or mineral lands were to be avoided.<sup>19</sup>

These instructions were promptly carried out. The area selected was a rectangle extending sixteen miles west from the western boundary of the Tierra Amarilla land grant as surveyed by Sawyer and McBroom in July, 1876, and thirty miles southward from the Colorado line. It em-

17. Godfroy to Dudley, 216/79, W603/79.

18. See W1614/78, T301/79, T488/78, T703/79, T710/79, T724/79, W2332/79. RB 35, p. 368. LB 144, p. 180, 422; LB 148, p. 282; LB 154, p. 28, 46.

19. E. J. Brooks to Townsend, 6/23/80, LB 158, p. 176. R. E. Trowbridge to secretary of interior, 4/10/80, RB 36, p. 462. Hayt to Thomas, 12/6/79, LB 151, p. 320. See also T873/79 and T407/80.

braced 480 square miles of land for a population of about 750 Indians; 1,500 acres of rich bottom land lay along the Navajo river; and there was plenty of water, good grazing, timber, hunting and fishing. There was also a number of "squatters" on the land.<sup>20</sup>

The final step was to remove the Indians and the agency to the new location. Thomas relieved Russell at the Abiquiú agency (located at Tierra Amarilla since 1872), on August 21, 1878, and the following December it was officially combined with the Pueblo agency.<sup>21</sup> The last rations were issued at Tierra Amarilla in December 1881, and the agency headquarters were moved onto the reservation, occupying some buildings at Amargo that had been abandoned by the Denver and Rio Grande Railroad.<sup>22</sup>

There was some last minute opposition in the interest of the squatters and the railroad, but Thomas stoutly protested in behalf of his charges against any further change, so the Jicarillas had finally found a fixed home and were willing to turn their hands to the task of becoming a farming people under the guidance of Frank W. Reed, farmer in charge. If they became a bit restive at times, there were troops to shoo them back to the reservation when they ventured off it.<sup>23</sup>

*(To be concluded)*

20. Kappler, I, 875. Townsend to Trowbridge, 8/13/80, Office of Indian Affairs, Special Case 28. Donaldson, *Public Domain*, p. 246.

21. Leeds to Thomas, 12/27/78, LB 144, p. 497. Russell to commissioner, 8/21/78, R599/78; also T477/78.

This move was formally approved by the secretary of interior in December 1878, I2450/78.

Russell had been a good agent. Offering his resignation before the consolidation took place, he wrote: "I avail myself of this opportunity to say that while I have not at any time claimed to have sought or accepted an Indian agency from motives of philanthropy, I did wish and believe that I could be instrumental in doing them good." He had been disappointed because the agency location and environment did not fit in with his preconceptions. Russell to Commissioner, 8/7/78, 45 Cong. 3 sess. Hse. Ex. Doc. 1, IX, 602 (1850).

22. Price to Thomas, 10/13/81, LB 182, p. 76. Thomas, *Report*, 9/1/82, 47 Cong. 2 sess. Hse. Ex. Doc. 1, IX, 190-91 (2098).

23. Reed to Wm. H. H. Llewellyn, 8/12/82, 47 Cong. 2 sess. Hse. Ex. Doc. 1, II, 186-87 (2100). W. G. Ritch to S. J. Kirkwood, 7/29/81, and Thomas to Price, 8/1/81, Office of Indian Affairs, Letter Number 18159/81 (the new filing system in the archive of the office of Indian affairs).

## BOURKE ON THE SOUTHWEST, XIII

*Edited by* LANSING B. BLOOM

### CHAPTER XXIV

#### IN THE TIGUA COUNTRY

*November 1<sup>st</sup> 1881. Tuesday.* This morning was cold and bracing but bright and cheerful, compared with several of those which we have had lately. A strong, frigid breeze scattered ashes in our faces as we huddled around the fire, eating our morning meal. Our Mexican friends of last night returned with their lost cattle: they halted long enough to exchange the compliments of the day. I then passed on. Strout, with the aid of Hall & Mullen re-spliced the ambulance tongue. At Puerco station on the R. R.,  $\frac{3}{4}$  of a mile from our bivouac, we made inquiry about the direction and condition of the road to Isleta. The station-master told us we could make a saving in distance by crossing the Puerco at this point and lent us spades and shovels to cut down the banks. We worked like beavers, filling in the quick-sand and miry spots, with lava and sandstone boulders and brush from the R. R. bridge. Our team crossed in safety, greatly to our relief, as the crossing had a bad look. All our troubles ended with this treacherous crossing. The main part of the day's journey, over 25 miles, was an excellent road, with a trifle of heavy sand in spots. We ran out into the Rio Grande valley and against the Topeka and Santa Fé R. R. A little one-storied, one-roomed adobe house stood directly at R. of our road. Strout and myself made our way through the mud chicken-houses to the front of the hut and there were attacked by a vicious cur which made no delay in the order of its going, after the volley of clods and stones had done its work. A wrinkled, leather-faced, but polite old hag, came to the door and listened with attentive courtesy to our questions as to the road to Isleta. Her reply was all right, no doubt, but rather beyond our comprehension from the great liberality with which she seasoned it with such directions as "poco mas allá; a la izquierda; otro lado del cerro," &c. &c., as seems to be the custom of the people of this valley.

Isleta spoke for itself: its old church was plainly visible 5 or 6 miles up the valley, a distance we were not long in



covering with our four good mules. When we entered Isleta, which is so Mexicanized in the style of its construction that it might well be called a "plaza" instead of a pueblo, we directed our steps to the house of a Frenchwoman, of whose good housekeeping we had heard much praise from many sources. She regretted her inability for the reason that she had just moved into a new house, only large enough for her own family & was not yet ready to entertain strangers. She sent us to a Pueblo Indian, who kept a little store. Altho' badly paralyzed in his lower extremities, this Indian managed to do a considerable amount of work and take good care of the trade coming to him. He let us put our mules & ambulance in a shed which was open on two sides and scarcely covered at the top, being merely the angle between two walls, covered with cottonwood saplings. We bought thirty-six pounds of corn for the animals: a handfull of onions and a leg of mutton for ourselves; not to forget a dozen or more of apples and four or five bunches of the half-dried grapes (*pasas*) of the village. All that we bought was good, but the half-raisin, half-grape was delicious. "Professor" Hall said he "reckoned he'd "boosky" roun' for some aigs," but returned unsuccessful. To reconcile us to his failure, he lighted his fire and, amid a shower of golden sparks, stood the Genius of the American kitchen at whose shrine a dozen Pueblo children bowed in dumb wonder, not altogether unmixed with fear.

#### ISLETA

Houses nearly all one-storied—adobe: doors opening on ground. Ovens on ground. Chickens, pigs, wagons of old and new styles, burros, horses, cattle, sheep and goats. Entered a house of two rooms, each 8'x12'x7' high. One door, lighted by one window 9"x5"; of glass: no selenite in this pueblo.<sup>1</sup> Floors of dirt: roofs as in other pueblos. This pueblo is very much like a Mexican town. In this house, six candles were burning on the floor, in honor of All Saints' Day. Bells were clanging from steeple of old church all P. M. There was a man sick in this house from a swollen knee, kicked by a horse.

1. Below, Bourke reports two such windows.

## List of Isleta clans:

1. Chalchihuitl	Pa-chirne-tayne	Chalchihuitl
2. Aguila	Chirva-tayne	Eagle
3. Raton	Chicu-tayne	Mouse
4. Tierra	Montayne	Earth
5. Maiz	Itaini	Corn
6. Palo Blanco	Nartayni	White Stick
7. Huacamayo	Tarre-patchirne	Parrot

There was no Sol, Coyote, Nube, Agua, Sapo, Chamisa, Cíbola, Culebra, Oso, Lobo, or León.

No. 7, I was told, was a "pájaro azul de afuera" and I unhesitatingly put it down as the parrot. The above list of clans was given me by a man whose house I entered. He was very reluctant and I had no little trouble in cajoling him. He said the Iseletas were the same people with those of Taos, Picurís, Sandía and Isleta of El Paso, Texas. They call themselves Tu-i, a word pronounced as if shot out of the mouth. Those of Picurís and Taos called themselves—Tao-wirne or Tao-wilni. All the houses entered are like this one, neat but humble, rooms large and well-ventilated. Buffalo robes (old) on the floor; coarse Navajo blankets for bedding. Wine, home-made, was offered us. I drank a tumbler full and found it excellent. He said they raised, and I have eaten, peaches, apples, melons, cherries, plums, apricots, pears,—also wheat, maize, chile, alverjones, frijoles. Have cows, goats, sheep, burros, & horses, in some quantity,—enough for their own wants. Eggs and milk are plenty and in general use. The children are very clean and all clad decently. My host said that his wife and children were "Tierra"; he himself was Chalchihuitl. In Laguna, Zuni & Moqui, he said, women propose marriage to the men. They (the young men) ask friends to call upon the girl's parents in their behalf. In four days after first interview, they return again: if received with a collation, they talk over the business in hand and then adjourn until a third visit to be made four days after. All is now arranged and the priest marries the happy couple in two days after, or in ten days from first interview. Women own houses in Isleta: children belong to their mother's clan. Our conversation was interrupted by the entrance of the man's wife with refreshments of hot coffee, onion scrambled with eggs and excellent bread and peach "turn-overs."

I entered the old house: its interior was extremely clean and neat, the floor being of pine planks. Called upon Father Clemente, the resident French priest, and was received with cordiality by himself and a quartette of Mexican ladies and gentlemen who were taking supper with him. Wine was passed around: the wine of the country, a kind of claret, very much to my taste. We began talking, at least as well as my Spanish would permit, of the revolt of the Pueblos in 1680. Father Clemente said that the Indians of San Felipe told him that they had not revolted: that when the other Indians killed their Padres, those of San Felipe determined to protect those living among them and rather than surrender them to the savages, thirsting for their blood, they defended them *vi et armis* against the army of the insurgent Pueblos.

The enemy besieged San Felipe in due form; gained access to the water-supply and confidently awaited the surrender of the invested garrison. In this extremity, the people besought their Padre to aid them: "Have no fear," said the latter, "you shall not suffer for drink: let all the tinajas of the pueblo be placed in a line on the mesa." This was done. The Padre lifted his coat-sleeve and with a razor opened the veins of his left arm: the blood flowed in profusion, but behold! as it touched the vessels, it became pure, cold water! The devil appeared to the Pueblos in the form of a huge giant: told them they had abandoned the customs of their fore-fathers and followed the teachings of the black-gowns.<sup>2</sup> For all this he was very angry, and unless by the full moon of August of that year (1680) they returned to their allegiance and killed the priests, he, the Devil, would take vengeance upon all the Indians. "This," said Father Clemente, "was the story they told at the time of the Re-Conquest."

The Pueblo, or Sedentary, Indians, are all small in stature. Most of the Isleta men bang their hair. The mode of dress is the same as in Laguna, except in the matter of silver quarters for fastening women's skirts, which are also used, but not often in Isleta. This lovely starlit night was made hideous by the barking of countless curs and the yells of squads of drunken Indians, singing songs resembling those of the Apaches.

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2. This would seem to be an anachronism. No Jesuits entered New Mexico until after the Civil War.



*November 2nd 1881.* This cold but lovely morning, the bells of the church were clanging their not inharmonious melody long before dawn; in fact, I think that, during the night, they tolled constantly, unless it was some figment of my dreams.

Our cook astonished us with an excellent mutton stew for breakfast. Visited the one "estufa" of Isleta: this is mostly all over ground, circular, 14 paces in diameter, 8' 6" high, earth floor, walls neatly plastered and provided with antelope horns for hooks: ceiling of earth, resting on heavy pine beams, covered with willow saplings peeled.

Fire-place in the centre; a pent-house of adobe covers the hearth to shelter it from rain coming down the companion-way. Met my friend, Antonio Huya, of last evening; went with him about the pueblo: entered the house of his grand-mother (of the chalchihuitl gens.) A great pile of red and blue corn lay in front of door: the house, like all of Isleta, was built in Mexican style. Stoves and tables begin to appear in Isleta, but the low stools, common to all the pueblos, have not yet been displaced by comfortable chairs. Saints' pictures and rude wooden statues of San Antonio and others in tin cases on the walls.

A glass of native wine was presented to me by the little girl of the house. The women of Isleta dress as do the Zunis, except that all the former wear petticoats and an under-jacket or "slip" of calico: the front comes down as low as the knee and is there met by the buckskin leggings rolled tightly in bands from knee to ankle. Women wear silver bracelets, made by Mexicans. The people of Isleta are abundantly provided with corn and chile, the latter in great bunches hanging to the outer walls, exposed to the sun. Saw two windows of selenite: in front of the houses in Isleta, are earthen jars for the collection of urine: this is for their Mexican "vecinos" who use it to dye wool for blankets and leggings and stockings.

Pottery was not easily procurable in Isleta, all having been sold. Strout purchased a very pretty Navajo rug. Antonio came to our bivouac and had breakfast set before him. People began thronging to church: not only from the pueblo itself, but from the adjacent hamlets. Antonio's father was of Tierra gens: his grandmother (on the father's side), whom I saw this A. M., was also Tierra: I also saw his wife's mother who was likewise of the Tierra gens. Went to church; dozens of kneeling women in their finest

raiment in the "campo santo" in front, each with her offering for the "animas": burning candles, baskets of corn, cakes, fresh bread, "turn-overs," pies, apples, grapes and slices of water-melons, onions and canteloupes. The interior of the church was resplendent with the light of candles. Upon the steps of the altar and upon the wooden floor of the nave, there were two or 300 of these blazing at once which produced an imposing effect, contrasting quaintly with the four or five scores of Apache baskets, (whose numbers astonished me) filled with delicacies and substantial of all kinds. At the moment of our entrance, an organ in the choir was playing a soft prelude. (This was one of the very few church organs I had heard in New Mexico.) Shortly afterwards, a woman struck up, in a voice cracked and feeble, a chant, the purport of which I could not make out: the antiphone to this was rendered in a murmur of gentle music by the chorus of kneeling figures about her.

There is something peculiar about the church-music of the Rio Grande valley: the solos are stridulous and strained, but the choruses have in them something weird, soft and tender, not to be described. The hymn finished, the Rosary was recited, the hum of voices filling the church with the echoes of prayers which these old walls had given back for so many generations. The priest began the service of the Mass, his assistants, two male Indians in shirt-sleeves, leggings, mocassins, red Pueblo girdles and hair in queue at back. (Noticed in the congregation, one Moqui squaw's blanket: white cotton body: blue & red woolen border.)

After mass, bought a few pieces of pottery and a raw-hide shield. Saw a young girl pulling a baby in a carriage, made of a candle-box, barrel-staves and two home-made little wheels.

Took the road for Albuquerque: day very cold & cloudy, pellets of snow flying about in air. Drove through three or four little Mexican plazas: most of the houses showed signs of prosperity; large orchards surrounded them; fat pigs squealed in the lanes and fat chickens scratched worms from the manure-piles. The houses themselves were well and neatly built & cared for. Whenever we asked our way—and as the country is cut up with roads running to all points of the compass we had to ask it very often—a chorus of voices, male and female, would answer in a high-pitched, sing-son, unpunctuated recitative: "vamos-por-otro-lado-del-acequia-y-agarre-el-camino-real-que-va-derecho - por - el-



rio-onde-hay-barco-no-se-puede-pasar-el-rio-a-pie-ahora-muy hondo-muy-recio-y-muy-fiero-"<sup>3</sup> and much more of same tenor, spoken in such a long-struck-out manner, that it required the most careful attention to hit upon their meaning.

On the banks of the Rio Grande, opposite "old Albuquerque," we were obliged to take the ferry-boat: a frail concern, scarcely large enough to hold our ambulance, our animals and ourselves. The current was very swift and fierce and lapped against the side of our boat, as if thirsty to swallow us up in the waves. Six oxen, yoked two and two, were swimming the river, as we reached it: the velocity of the stream, carried them off with the swiftness of a Rail Road train, but they headed against the current and slowly but surely gained the deceitful sand-banks on the farther side.

At Albuquerque (old town), we put up at Trimble's: <sup>4</sup> Strout and I devoted an hour to buying beef-steak, mutton-chop, sausage, eggs, butter, Irish and sweet potatoes, apples & bread. Old Albuquerque is one of the quaintest, oldest fashioned towns to be found in our whole country: it preserves its pristine individuality in a much more marked degree than Santa Fé and shows fewer traces of American invasion: the streets are the narrow, pavementless burro-trails of the old time; the houses all one-storied adobe structures, those of the more opulent residents having a broad verandah running along the whole front. The language of the streets is Spanish, and that of the "tiendas" almost entirely so. Advertisements, handbills and "dodgers" are still in the language used by Cortez and his comrades, and the by-paths echo to the tread of men in long black flapping petticoats and broad, black shovel-hats, priests of the same religion in which the dying Montezuma was baptized.<sup>5</sup> Yet one can go from old to new Albuquerque in street-cars or send messages from one to the other by telephone! After dark, Strout and myself walked to New Albuquerque to the

3. "Take the other side of the acequia and strike the highway which goes straight to the river where there is a boat; you can't cross the river now on foot—it's very deep, strong, and fierce."

4. "W. L. Trimble & Co. . . Livery Stables and Corra!" is listed under "Old Albuquerque" in *A Complete Business Directory of New Mexico and Gazetteer of the Territory for 1882* (Santa Fé, 1882). L. S. Trimble also advertised as an attorney at law.

5. Again we have a touch of literary license. The Jesuits did not enter New Spain until 1572, half a century after the death of Montezuma.



R. R. depot to get the latest papers from the down-train; met Lt. Smith. 4th cavalry, and Lt. Cornish, 15th Infantry. Slept in the corral all night.

*November 3d 1881. Thursday.* The cathedral of Albuquerque is a modern building of good size, double towers in front and of neat and attractive, but not imposing appearance. The interior is kept as neat as a pin. It is the only Catholic Church in the Terr<sup>y</sup> provided with pews, —each of these is marked plainly with name of owner, or occupier—the principal people of the “old” town, Armijos, Montoyas, Apodacas, Candelarias, Chaves, &c. The card concerning the celebration in honor of Pio Nono, was on the door.<sup>6</sup>

Left Albuquerque at 8 in the morning, travelled N. up the Rio Grande valley, parallel to R. R. track, and only 300 yds. from it.<sup>7</sup> Fifteen miles of a drive over a pretty good road brought us to the pueblo of Sandía, a very small village inhabited by the same people as live in Isleta, Taos and Picurís. The houses are almost identical with those of the poorer classes of Mexicans, and altho’ ladders can be seen, every house opens by a door and glass windows upon the ground-floor. The governor’s house has a drum, exactly as those of Taos and Santo Domingo for which the old lady whom we saw declined to take any price whatever. All we could get out of her was “no vende, no vende.”

The Sandías dress in the same manner as do those of Isleta. Their living rooms are 50’ long by 14’ to 20’ wide, and 12’ high—ceilings of squared pine rafters, covered with pine boards. Walls white-washed and adorned with cheap looking glasses and the tin framed holy pictures. Navajo blankets in plenty; also buffalo robes, the latter well worn and used with slips of Mexican “jerga” as covering for the earth floor.

Bedsteads & chairs, both of wood, in use in this pueblo, —or village, as I feel tempted to call it. People seemingly have an abundant provision of food against winter. Each house is gayly bedecked with strings of coral or scarlet chile—the interior rooms are piled high with blue and red corn, or fat pumpkins, squashes and onions. Baked squash

6. Pius IX was pope from June 6, 1846 to February 7, 1878, so that Leo XIII was now at the head of the Church. The celebration must, therefore, have been commemorative in some way.

7. In 1881 the main road north was still the old Chihuahua highway, which here skirted the foothills on the east side of the valley. Had Bourke only known it, he passed within a stone’s throw of the site of old Puaráy pueblo where two of the early missionaries were martyred.

is in the hands or mouths of all the children and quantities of sun-dried beef or mutton hang from the rafters.

In the second house, was the carcass of a whole ox butchered for the use of the family during cold weather. Houses, of one story. Ovens, on roofs and in streets.

Saw Navajo bridles of silver. Bought a Moqui basket with deer ornamentations. Cradles rudely built in American style—also the Indian back-cradles. Children's wooden carriages after the fashion of those seen in Isleta. Only one two-story house in Sandía & that uninhabitable.

Have horses, burros, mules, cattle, sheep, goats, chickens, dogs, cats. Have American wooden pails. Raise corn, wheat, grapes, apples, beets, frijoles beans, &c, onions. Make black & white pottery.

A school has been established here by Dr. Thomas, Indian Agent,<sup>8</sup> under charge of an old Mexican, Agostín Cisneros. It has 16 scholars: the pueblo has between forty and fifty houses and a population in the vicinity of 175. They have a few wagons of old and new styles. The school-master said that these people are called Queres (?), which I cannot understand, as they claim also to be one stock with the inhabitants of Taos and Isleta.

The 1<sup>st</sup> Estufa is rectangular, 55' long x 25' wide, built above ground—of adobe—altar under the entrance in roof—Timbers of pine, very massive, 12 to 14" squared with blunt tools. The interior has no wall decorations, but there were many indications of some approaching feast or dance. Blue and white paints in pots—cedar garlands, Spanish Bayonet & amole leaves—tortoise rattles and an oblong drum. When I was down there, a couple of rude Indians ran up at full speed, breathlessly descended the estufa and ordered me to leave. I told them I was a big *capitán* from Washington & would leave when I got ready and not before. After I had surveyed the interior, very carefully, I left.

The 2<sup>n</sup> estufa is in ruins and is not used. Our examination of the pueblo was interrupted by Hall's calling out that lunch was ready.—braced by our exercise, we ate heartily of the food which he had prepared.

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8. Benjamin M. Thomas was Southern Apache agent, 1873 to 1874. In the latter year the office in New Mexico of "Superintendent of Indian Affairs" was abolished, and in the resulting adjustments Thomas was made Pueblo Indian agent at Santa Fé (1874) and from 1876 to 1882 (perhaps longer) he also served as special agent in New Mexico for the Indian Bureau. *The Legislative Blue Book of the Territory of New Mexico* (1st ed., Santa Fé, 1882), 122-124.



In another house, a big bundle of parrot feathers. In another house, there is one window of selenite. Pottery very scarce in Sandía.

Pueblo hardly worth visiting but as a point of interest I may say that there are people here who call themselves Moquinos and claim to have been driven from Moqui.

Bourke was right, of course, in recognizing the people of Sandía as belonging to the Tigua linguistic stock rather than to the Queres. The early Tigua country extended from south of Isleta to a little north of Sandía. During the Pueblo Rebellion of 1680 the people scattered and their pueblo was burned. For two generations many of them lived in the Hopi country and doubtless there was some intermarriage with that people. From 1742 to 1748 many of their descendants were persuaded to return to their former home and old Sandía was rebuilt.

Of the various pueblos of the Queres people, Bourke had already visited and described Santo Domingo in August when he was on his way to see the Hopi Snake Dance,<sup>9</sup> and he had just come from Acoma and Laguna. He had still to visit San Felipe and Cochití (both north of Sandía), and Santa Ana and Cía (both up the Jémez river from Bernalillo); and he wanted also to include in his survey the single pueblo of the Jémez people (ten miles north of Cía). It seems best to reserve Bourke's notes on these Queres and Jémez pueblos for a separate chapter, and conclude his survey of the Tigua people with the data which he gathered in a quick trip to El Paso, Texas. He felt that his work would be incomplete without a visit to the descendants of those Tiguas whom, at the time of the Pueblo Rebellion, the Spaniards had transplanted to "Isleta del Sur."

With young Strout and the negro orderly, Hall, Lieutenant Bourke arrived in Santa Fé (Nov. 7, 1881) where he turned in the army ambulance—with which he had hoped to reach the Coconino Indians—and relieved himself of the

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9. The notes which he gathered at Santo Domingo, Bourke himself published in *The Snake Dance of the Moquis of Arizona* (London, 1884), 1-53. They form a necessary part of his ethnological survey in the Southwest.



ethnological material which he had collected during the trip west. He was then free to take the train for El Paso, after telegraphing ahead to Fort Bliss of his coming.

If the following notes, or those of any other of the pueblos which he visited, seem to be heterogeneous and fragmentary, the reader is again referred to the outline which Bourke prepared before he began his survey.<sup>10</sup> It will be seen that he was working methodically, jotting down only the significant facts and especially any variations noted from the pueblos which he had previously visited. He intended the result to be a composite picture of the entire Pueblo Indian culture as it was in 1881.

*November 8th 1881. Tuesday.* Remained in Santa Fé. Met Col. G. O. Haller, Genl. Hatch and Col. G. V. Henry. Dined with Mrs. and Miss Lee and their guest, Mrs. Torrey.

*November 9th 1881. Wednesday.* A furious storm of snow and wind ushered in the morning. Made ready to start for El Paso, Texas. Started in the afternoon at 3, and got to Lamy Junction without incident, except that which might have been expected from such a furious tempest—a detention of the train from the East. In the same compartment with me below Lamy, was the Hon. M<sup>r</sup> Ashburn, M. P., the gentleman who once raced yachts with James Gordon Bennett Jr. across the Atlantic Ocean. His keen remarks upon men and countries he had seen interested me greatly and kept me from thinking of going to bed until after midnight. He surprised me much by insisting that the British oyster was superior in flavor to our best American. I demurred saying that I had always understood the flavor of the British oyster was coppery. He refused to admit this and said that once, when a member of a parliamentary commission to examine the Fisheries Question, he had studied with great care all data obtainable with regard to the oysters of America, England, and Holland, arriving at the conclusion above given. When he spoke of England's naval supremacy and insisted that she had or soon would have armored vessels to cope with the iron-clad monsters owned by Italy & Russia, I took occasion to remark that it was a

10. See *New Mexico Historical Review*, X (1935), 281. As there stated, the outline, or "List of Questions," which he prepared for his own guidance may be consulted most readily in his book, *On the Border with Crook* (1891), 262-275.

shame that the lords of the Admiralty in place of commemorating the names, virtues & services of such eminent heroes as Chicheley, Shovel, Nelson, Collingwood, Drake and Howard of Effingham, gave to her ships of war such meaningless appellations as the Indomitable, Boxer, Resolute, Minotaur &c. &c. This he conceded to be a pungent and well-deserved censure.

*November 10th 1881. Thursday.* During the night, our train passed down the Rio Grande valley, past old Fort Craig, the scene of my first services as a commissioned officer. When we awakened this morning, we were at Rincon, a station 275 m. S. of Santa Fé, and the point of junction of the El Paso branch.<sup>11</sup>

A phenomenal snow-storm had occurred in the night, covering the ground to a depth of three inches, and making the telegraph wires look like great white ropes. It was still falling, falling in slender, white flakes, much to the awe of the Mexicans who said that no such storm had ever been known in the valley. I served at Fort Craig, only a few miles above this point, during the whole winter of '69 and '70, without seeing 1/10 so much snow.

The "branch" train came along in the course of a few moments. We sped boldly and safely down across the "Jornada del Muerto," once the dread of the traveller whose life was imperilled by lack of water and over-abundance of Apaches.<sup>12</sup>

Turning again to the valley of the Rio Grande, we found it here a beautiful stream, lined with a heavy growth of cottonwoods, whose branches were white and silvery in their unwonted festooning of virgin snow. Seventy-seven miles below Rincon and 350 south of Santa Fé, we ran alongside of the track of the Southern Pacific from San Francisco and, on the right bank of the river, saw the stone monuments marking the line of separation between the dominions of Gringo and Greaser. The track of the Texas Pacific also runs here:—a small section, built to secure charter but not yet used.

11. Only on March 19 of this year had the Santa Fé Railroad made connection at Deming, New Mexico, with the Southern Pacific Railroad which had built eastward from California. Evidently, at first, this through-service to the coast was regarded as the main line, and the line from Rincón south to El Paso was merely a branch line.

12. This is a rather surprising slip for Bourke to have made. The Jornada is north, not south, of Rincón, and the train had already crossed it when Bourke awoke at that station.



Three-quarters of a mile north of the town of El Paso, is Fort Bliss, where I was received by the Post Commander, Colonel Fletcher, 23<sup>d</sup> Infantry, and my old friends Heyl, Pollock, Clark of same regiment, as well as by Hay, 23<sup>d</sup> (who came in later,) and by Dimmick, 9<sup>th</sup> Cavalry, Davis, 15<sup>th</sup> Infantry and by Assistant Surgeon Taylor. Breakfasted with Heyl, Fletcher and Davis.

Lunched with Pollock and his charming family.

Dined with Heyl.

In the evening, called upon Mrs. Dimmick, Mrs. Clark & Mrs. Hay, and then, with Colonel Fletcher, Heyl and Davis, drove to El Paso, Texas—a town, half American, half Mexican, destined soon to become a rail-road centre of the first magnitude.

*November 11th 1881 Friday.*

Finished breakfast and started in an ambulance for the town of Isleta, Texas, formerly an Indian pueblo exclusively, but now largely occupied by Mexicans & Americans.

We first passed through the town of El Paso, (the American or Texas town of that name,) and then parallel to the line of the Southern Pacific and the unrailed grade of the Texas Pacific and sometimes using the latter as a carriage-way, we moved, south of east, down the valley of the Rio Grande, in this vicinity a broad area of fertile, arable land traversed by a fine stream of crystal water. There is an excellent supply of cottonwood, willow and false mesquite, together with a jungle of "arrow weed" and good grass, all indication of the richness of the soil. With a little labor and intelligent application, this immense area could be made a small state by itself. At present, it is uncultivated and unbroken save at great intervals by small corn-fields, orchards or vine-yards of Mexican farmers.—the yield from which, in quantity and quality, serves yearly to demonstrate the truth of my comments. Ducks, geese, turtle-doves and quails are numerous along the banks of the river or in the shady coverts of the mesquite and willow thickets. We met on our road long trains of wagons, loaded with Mexican and American laborers and implements, returning to the town of El Paso from work upon the Rail Roads.

It is reported that a junction of the Texas Pacific and Southern Pacific R. R.'s is to be made two weeks from to day, as only three miles of a gap now remains to be laid with rails. This will give us another and most important trans-



continental connection and will open to the commerce of the world a grand region in S-W. Texas and Northern Mexico, in which the Lipan, Apache, Comanche & Kickapos have until lately held absolute sway. The climate of this valley is so famous for its genial, health-giving qualities, especially in winter, that I shall make no extended reference to it in these notes.

Reached Isleta in a couple of hours. It is 12 to 15 m. from Fort Bliss. Went to the store of M<sup>r</sup> Schutz, who kindly invited me to lunch with him & presented me to his sister, the wife of Lieutenant Day, 9<sup>th</sup> Cavalry.

The pueblo of Isleta is now so thoroughly incorporated in the Mexican-American town of Isleta that it requires a very accurate acquaintance with the place to tell which are the houses of the Indian and which those of their more civilized neighbors. The houses are all of adobe, one story in height and opening both by windows & doors upon the ground floor, the use of ladders being entirely discarded.

In dress and manner, the natives of the pueblo have imitated their Mexican relatives. Many of them have Mexican wives and many Mexicans have married maidens from the pueblo. This infusion of foreign blood betrays itself in the lighter complexion, softer features, gentler expression and ruddier cheeks of the young people, several of those whom I met being quite good looking.

In the first house I entered, a pile of blue corn lay upon the floor drying as in the other pueblos—a chimney extended *across one* side of the room and a metate of odd shape was constructed close to the fire place. I saw a shield, bows and arrows, guns, a bundle of eagle feathers and a pair of *wooden spurs* hanging to rafters—but beyond these nothing whatever to lead me to suspect that I wasn't in the house of an humble and industrious family of Mexicans.

The head of the family was assisting his wife with the week's wash, wringing out the cotton clothing which was soaking in large earthen ollas of domestic make. I must have reached the pueblo upon a wash-day, as in each house, both men and women were hard at work getting through with the duties of the laundry. American ladies might learn a lesson from their humble sisters of Isleta and in place of driving their husbands away from home on Blue Monday, gently insist upon his remaining and lending his powers to the performance of any service he might be able for.

One of the younger men whom I met in the 3<sup>d</sup> house I entered said he'd be glad to take me to the house of the governor. On my way thither, he said that their pueblo had always furnished scouts and guides to the soldiers in their campaigns against the Apaches. The year before last, nineteen of them had gone down the river to intercept the Apaches, but the latter ambushed them & two of the Isleta Indians were killed, one of the killed being my guide's own brother. This young man was perfectly willing to converse with me concerning his people and to show me everything I wished to see—he said that the Pueblos raised everything to eat except potatoes. They have apples, pears (the pear trees are very old & very large), peaches, apricots and grapes—the last in great quantity. Plums were not raised.

Corn, wheat, barley, chile, onions, beans, sweet potatoes, eggs, peas,—everything except potatoes.

They had horses, oxen, cows, burros, mules,—chickens and pigs. I saw a couple of boys driving a large herd of sheep and goats, but I couldn't tell whether they were Indian, or Mexicans or Half-breeds.

To my questions concerning the *clans*, he returned a reply that they did not have any—that this pueblo was now entirely Mexican and had given up many of the old “costumbres.” I told him quietly that he lied and that I knew as much about the pueblos as he did; that I had visited them all & had been told everything I wanted to know by the governors and head men of the other villages.

By this time, we had reached the house of Juan Severiano Gonzalez, the acting governor of the town, a very polite and courteous old man, who received me with urbanity, made me take a seat and when I had explained the object of my visit, said in a very kind tone that he would be glad to give me all the information in his power. He was not the real governor—only the lieutenant and acting in his place—the real governor lived with three or four families a little over a league out of town, near the plaza of Socorro.<sup>13</sup> However, as *he* was one of the oldest

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13. Bourke speaks of Socorro as if it were a purely Mexican plaza. He makes no mention of the Piro Pueblo Indians and unfortunately seems not to have known that Socorro and Senecú (on the Mexican side of the Río Grande) were both established by the Spaniards in 1681 with Piro Indians from New Mexico, as Isleta del Sur had been established with Tiguas.

In this connection it may be of interest to record that, in December 1923, there were, in a suburb of Juárez known as “el barrio del pueblo,” fifty-five descendants of the early Piros who were maintaining their tribal organization and ceremonials.



men in the village and had once been governor, he was confident that he could tell me all that I was anxious to learn.

The people of Isleta, Texas, were Tiguez, speaking the same language with those at Isleta, New Mexico and Sandía, and one something different from that of Taos & Picurís.

Some of them, with the governor, lived outside of the pueblo, in and around the Mexican plaza of Socorro, as he had already stated; and another small party had crossed the river to the Chihuahua side and made their home near Zaragossa.

They have all adopted the customs and manners of the Mexicans and have intermarried with them; only three old men persist in wearing the queue. The women and girls wear Mexican clothing altogether.

While we were conversing, one of his young daughters, a pretty girl of 12 or 15, was trying on a calico frock just finished. He confirmed all that the young man had told me about their farms and vineyards—and about their furnishing scouts to the Army in time of war with hostile Indians. They have no eagles and no estufas. They formerly had them, but not of late years.

Now, when they want to arrange for a feast, they use some unoccupied house. They are very fond of dancing in the Mexican fashion.

Last night there was a "baile" in the house of \_\_\_\_\_, and tomorrow night there was to be another in \_\_\_\_\_'s house. Had I noticed the pretty room over in that house? (pointing.)

Yes. Well, that was all painted & fixed up for bailes exclusively.

I proceeded cautiously in my conversation, not caring to run too great a risk of failure. I let him see that I knew a great deal about Indians and told him that during the past summer, my travels had included all the pueblos—Moquis, Zunis, Teguez and Jemez.

I then explained what I knew about the clans and clan rules, and asked him if the same divisions existed among his people.

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Also, since the early 1850's, there has lived in the Mesilla valley seven miles south of Las Cruces a tribe of Indians known as Tortugas. These people are partly Piro but mostly Tigua and originated from the El Paso-Juárez pueblos. They have been entirely overlooked by anthropologists.



He said yes—and told me that he was *Maiz* and his wife and children, *Aguila*. Their head governor, whom he styled *cacique*, was also *Aguila*. The young man who had come with me was *Sol*.

The complete list of their clans was:

Maiz	corn
Aguila	eagle
Sol	sun
Agua	water
Chalchihuitl	turquoise
Oso	bear
Tortolita	turtle dove
Conejos	rabbit
Sandia	watermelon
Ganso	goose

The pueblo was very small now and had but few clans and these had only a few in each one. Formerly, there were many clans and many families in each. They used to have the *Coyote* and *Culebra*, but these were now extinct. They had no *Cíbola*, *Bunchi*, *Chamisa*, *Sapo*, *Tejón*, *Verenda*, *Lagartija* or *Calabaza*.

I tried hard to know whether or not the *Ganso*, which he called "*Gallina de la Sierra*" was not the same with the *Turkey*, which is called *Gallina de la Tierra*, and altho' he persisted in using the Spanish word *Ganso*, I am certain that the word should be *Turkey*, as in the other pueblos of the same language. So with the one he called *Sandía*—I think that, perhaps, ought to be *Calabaza*. I am not positive whether he said they had no *Huacamayo* or that they had a small clan of that name. The explanation of this uncertainty is to be found in the fact that I was afraid to let him see me write down what he said and had to adopt the policy of letting him talk first and then I pulled out my memorandum, and rapidly outlined his conversation, losing one or two points in so doing. The old man seemed anxious to know where that book was going—I told him to the Great Father in Washington.

He said that their houses belonged to the women—an examination showed they had the same rules of property & descent as among the other pueblos. The pueblo now has 36 "*cabezas de familia*" and four widows.

The old man's house was well stocked with holy pictures in tin frames and one of the rooms was arranged at

one end as an oratory, the Saints' pictures being resplendent in a gorgeous setting of the green, yellow and red cut tissue paper, used by our German barbers and saloon-keepers for a decoration upon their ceilings during hot weather.

The old man complained that the Americans and Mexicans were crowding into their beautiful valley and taking up, without any recompense, land belonging to the people of the pueblo.

I bade the good-hearted old man Good Bye and then hurried over to make a rough sketch of the front of the church.

The afternoon was waning—15 miles of sandy and muddy road had to be passed over before I could get to Bliss,—my work was done—I bade Good Bye to Mr. Schutz and entered my ambulance. We discovered just in the nick of time that one of the springs was broken. This we spliced with a rope, a drunken Irishman looking on with nods of approval.

“Boss, oi'd loike to roide wid yez to town.”

“Sorry. Can't do it. Spring busted.”

“Well Boss; yer a foine, generous-looking, high-toned gintilmin. Boss, oi wurrucked on the Iron Mountain Road in '50, long afoor you were bor-run. Lind me a shillin' to kape a poor bi from the horrors.”

“Can't do it. I send all my spare change to the benighted heathens.”

“Phat's thot?”

“I send all my money to the poor heathens.”

“Arrah, thin, bad luck to yore sowl, shure yiz hav a glitther in yer off eye wud shcare a poor stharvin' widdy into her grave.”

“Bad luck to yiz &c. &c. &c. &c.”—so long as we were within ear-shot.

Reached Fort Bliss by dusk. Dined with Captain and Mrs. Pollock . . .<sup>14</sup>

14. Bourke adds the notation: Isleta has *old* wooden carts.

## CHAPTER XXV

## THE QUERES AND JEMEZ PUEBLOS

WE NOW return to Sandía from which pueblo on November 3rd Bourke proceeded north in his army ambulance to visit San Felipe and Cochití. He then returned south to Bernalillo, crossed the Rio Grande by the old toll-bridge, and followed the old road up the Jémez river to visit Santa Ana, Cía, and Jémez.

From Sandía to San Felipe, the distance is 12 m. through the same kind of country as already noted (the valley of the Rio Grande). Villages dotted our path and one town of considerable size, Bernalillo, pleased us very much by its picturesque situation, and its look of solid home-like comfort.

The flat-roofed houses, embowered in the verdure of peach, apple and apricot trees and surrounded by broad vineyards had a thrifty look—plenty of chickens and herds of fat cattle, confirmed our first favorable impressions of the place.

The new houses in course of construction by the Perea and Otero families are extremely neat, three stories in height—ornamented with bay windows and verandahs after the American style.

Lightning-rod fiends, with glib lying tongues have penetrated to this seclusion as the copper-tipped rods attest.

Bought a bottle of native wine for half a dollar at the house of a well-to-do Mexican.

A mile or less below San Felipe, hired an Indian for a piece of tobacco to conduct us across the ford of the Rio Grande. Effected the passage without trouble under his guidance, altho' the current pushed with great power against our ambulance.

San Felipe is situated on R. bank of the Rio Grande, at foot of a frowning, barren mesa of black basalt. It encloses a square of 12 or 15 houses on a side and a few outside. Entering the plaza, we passed several old-fashioned wooden carts, noticed that nearly all the windows were of selenite, and ascended the ladder leading to the house of the Governor. We explained who we were and were kindly welcomed and invited to descend to the room where the women of the household had just set out the evening meal. Of this, we were asked to partake and fearing to appear discour-



teous, complied. We ate some bread, stewed peaches and mutton, roasted in pieces on an iron spit.

The Governor's house was small but scrupulously clean—he said that he had another house which was empty and at our service. We accepted his offer and, followed by a retinue of 25 or 30 bright-looking children & 5 or 6 women & men, went to take up our quarters there.

I engaged the Governor in conversation, learned from him that his people belonged to the Querez nation, that San Felipe was called Katis-cha and then when I thought everything was ripe, read to him the list of Laguna clans. He laughed heartily and said that here they had the same "janos," excepting the Huacamayo, now extinct, and [had also] the Tortolita or Io-o-ca-janos, to which his children belonged.<sup>1</sup>

The houses here belonged to the women. When one of their girls loved a young man & wanted to marry him, she could ask him.

The room in which we were placed served Hall as a kitchen and as a general reception room into which thronged not less than 20 or 25 of the people of the pueblo, mostly women & children.

An old man brought us a dozen and a half of fresh eggs, for which, much to his pleasure, he received a shining half-dollar. A young girl brought us enough fuel for our supper-fire and was paid a quarter.

A crazy man here entered—his head shaved close to his skull—The Governor said he was dumb and "loco"—He excited great hilarity among the young girls and a corresponding amount of irritation among the matrons. The Governor said that he belonged to the Io-oca (Tortolita) jano.

I made the governor tell me the clan of everybody in the room. There were representatives of the Chami or Eagle, Jo-o-ca or Tortola, Sapo and Bunchi. Half a dozen boys ran away when they heard me ask about their "gentes" or "janos." The Governor's name is Pedro José Quivera in Spanish & Ah-fit-che, in his own idiom.

Our room was 14' sq., 6' to the ceiling-rafters, which were of round peeled pine, 6" thick, covered with small branches, hay and mud. A door 3' high and 18" wide—

1. In a footnote Bourke adds the Bunchi (tobacco) clan: and refers to later mention of the Chalchihuitl.

opened from the outside & in same wall was an unglazed aperture, a foot long horizontally and 5" high. The E. side of room was given up to the chimney, which had 2 flues, one in each corner. A second door of same dimensions as the first led into a second chamber. Walls, all white-washed. Floor, of packed earth.

Squatted like toads around 2 sides of the room were seven children, each wrapped in a black & white banded coarse "Navajo" blanket.

Invited the chief to sup with us and handed to his wife, daughter and little brother who stood behind us—pieces of bread plastered with jam and egg omelet.

The Governor said that there were two live eagles in this pueblo—none in Sandía and none in Isleta.

He also gave us the following as the correct list of the clans of San Felipe:

Aguila	Oso. (Extinct.)
Sol (almost extinct.)	Huacamayo (Extinct.)
Agua	Frog
Culebra. (Extinct.)	Turkey
Encino. (Extinct.)	Coyote
Verenda. (Antelope.)	Tortolita.
Tejon. (extinct.) (Badger.)	Bunchi
Maiz	(No Cíbola or Chamisa.)

The Governor then showed us around the town which consists of two plazas instead of one as I at first wrote. In the clear light of the almost full moon, nothing was hidden from us. The little houses of adobe plastered on outside, opened on the different plazas were almost all two stories high—the lights from within streaming through the selenite slabs. Children were standing on the roofs of several of the houses; this, our guide said, was allowed after sunset, none could go away from home or leave the pueblo. 5 or 6 large boys were singing together in a corner of the plaza: he said, he didn't mind that, so long as they created no disturbance. The song was almost if not quite, the same as those sung by the Apaches. At first, he said there were two eagles in the pueblo: but we saw three and then he remembered that there were four and promised that tomorrow we should see them all, as well as the estufa & the church.

He also promised to have the pueblo warned at day-break that we wanted to buy pottery, stone axes & such things.

He told me that their harvest this year had been exceptionally good and that they had raised quantities of peaches, apples, beans, plums, apricots, beets, chile, tomatoes corn & wheat.

We saw many turkeys and chickens and the usual contingent of dogs and burros. Horned cattle, sheep, goats, mules, burros, & horses,—they have a sufficiency of all these. He denied that his people ate dogs, altho he said they were eaten in Acoma, Zuni, Moqui & Laguna. He said they had men to make the "rounds" at night and showed us the man who was to be on guard tonight. This man we were asked to treat kindly if he should come to our house, but—all others we should drive home.

Before retiring, Strout & myself pledged each other in a glass of Rio Grande wine.

Distance to-day 26 to 30 m.

November 4<sup>th</sup> 1881. *Friday*. Dawn had scarcely broken when our quite too too friendly friends came to pay us a visit. We were all still in our blankets, a circumstance that made little difference to the gentle savages. The Governor and one or two of the highest in rank were asked to test Hall's cooking.

After breakfast, to the Estufas. 1<sup>st</sup> is circular, over-ground, entered by ladder<sup>2</sup> through roof, 15 paces in D., 10' high. Built of adobe; interior, white-washed floor of packed earth—one little window one ft. sq. and the recess of "Omá-a" on one side.<sup>3</sup> Well-lighted from top, but roof leaks. Roof made of round peeled pine logs 1 ft. in D. covered with saplings and the latter with clay.

2. "Which had a *side*, was strongly built and was a regular 'companion way.'"—J. G. B.

3. According to Bourke's Hopi notes, "Omá-a" was the Cloud Chief or Rain God. "From him is received water to refresh the parched crops. In each estufa may be seen a small niche, sometimes in one of the walls, sometimes in the floor, in which offerings of corn, tobacco, pumpkin seeds, and sacrificial plumes are deposited for this deity upon occasions of ceremony."

At one of the two kivas in the pueblo of Hano, he noted: "In this estufa the niche or 'door of Omá-a' was not in the floor as is generally the case in the Moqui villages proper. The difference is hardly worthy of note, but it should not be forgotten that the Teguas are not of the same blood as the Moquis, but belong to the same tribe as the people of San Juan and San Ildefonso on the Rio Grande." See *Snake Dance of the Moquis*, pp. 120, 129, 130.

Here is an interesting point for the anthropologist to solve. Was this ceremonial feature of the kiva which Bourke calls variously "the niche or door of Omá-a" and "Omáha hole" identical with what has been called by other writers the "si-pa-pú"? At no point in all his voluminous notes does Bourke use the latter term; and the first use of his own terms appears when he was in the Hopi pueblos.



Th 2<sup>d</sup> Estufa, complete reproduction of the 1<sup>st</sup> but in better condition. No characters on walls in either.

Chimneys of houses, of "ollas." Ovens on roofs and on ground.

Saw the four caged eagles. A crier was calling through the pueblo that everybody must go out hunting for rabbits to feed the Eagles.

In one of the houses, we counted nineteen people, from the tottering coughing great-grandfather to the babe just born. The head of the family was painting arrow-shafts with bullock's blood.

Saw no Albinos. Entered a house: saw Navajo and Moqui blankets; three bow drills, feather boxes & abalone shells. Make black & white pottery. Don't use "boom-rangs," use clubs for killing rabbits.

To reach the Pueblo of Santana, we had to make a detour going South along Rio Grande as far as Bernalillo (10 @ 12 m.) to reach the bridge and the direct road.

Our numbers were increased by the Governor who asked us to give him a lift in our conveyance. He was quite conversational and told me that he had forgotten one "jano" or gens—the Chalchihuitl which he said, was also to be found in Isleta and Santana.

The people throw corn-meal to the "Sun" early every morning, but that is one of our old "costumbres"—we never speak of such things to the Mejicanos. We have a "padre"—Rómulo, who has a mission here and comes down from Peña Blanca. He was here and said mass yesterday morning.

"We have the church and we have the Estufa too, our own 'oficio.' The people of Moqui have snakes in their Estufa—I've heard about it. I've also heard that they used to have them in Sandía, but I don't think they have them now. And at Cicuyé, the Peco pueblo—I've heard they used to have snakes and that they let the snakes eat their children. The people of that pueblo were Tú-e. (i.e. Taos.) but they all went to Jémez. Santana in our language is called Ta-may-ya."

On our way to Bernalillo, passed by the corn-fields of Santana, most of which are on E. bank of Rio Grande. Crossed the river by a very good bridge, paying \$1.00 for toll for our wagon. On W. bank, the road to Santana is sandy and hilly. It passes by an old pueblo not far from

the bridge.<sup>4</sup> A league beyond this are the vestiges of still another pueblo, like the 1<sup>st</sup> in the valley of the Santana or Jémez river, a stream wider than the Rio Grande, but not over six inches in depth flowing swiftly through sand-dunes of from 10 to 75 ft. in height. Our road was extremely sandy and our progress very slow.

We passed a long train of wagons and carts, not less than 20, drawn by four or 6 oxen each, driven by Santana Indians, going to carry home their crop of corn. Thus, necessity has made the Santaneros great owners of wagons and oxen and very fair drivers. Our friend the Governor, at the last moment, asked us to take him along as far as Cochití—and said he could be of great help to us.<sup>5</sup> We agreed to give him \$1.00 per diem and to feed him and pay his expenses, the total being equal to \$2.00 a day—very good pay for a Pueblo.

We were exposed to a sandstorm, blown by a biting North wind, chilling us to the marrow. Pedro José whiled away the weary drive by telling me of the great war with the Mexicans. (the Pueblo revolt of 1680)

(The priest of Cochití: the faithful sacristan—the conspiracy—the warning—the lighted candle left in priest's room, the sacristan carries him on his back across the Rio Grande. The priest sets out for the South; hides in a wood near San Felipe. Discovered drinking from river by the town-crier. (San Felipe then on the top of the lava mesa.) Hunting party find him—"No llores, padre." Conversation. Divest him of clothing. Dress him in buckskin shirt—paint his face—put a band around his head—Pursuing party from Cochití. Demand the surrender of Padre: refused. Return for reinforcements. Battle. San Felipe. deprived of water. Priest opens his veins &c. "Asi platiquen; asi dicen." Pedro also said that in "old days" Indians were all the time at war with each other.)

Reached Santana. Went into camp; while Hall was getting lunch, I wrote up my notes. Indian boy helped us

4. Evidently this was the old Tigua pueblo site known as Kuá-us, lately excavated. In one of the kivas important fresco paintings were uncovered.

5. This arrangement indicates that Bourke did not intend to return by the same road to the Rio Grande, but to follow the old stage-road which ran from Santa Fé to Fort Wingate, and passed through the Mexican plaza of San Isidro. Bourke would hit it between Jémez and Cía pueblos, wind eastward through the foothills and drop down to the Rio Grande at Sile, and the ford to Peña Blanca. At this point the governor could trudge about five miles south to San Felipe; and Bourke would drive three miles north to Cochití pueblo.

with water and fuel. Governor & most of the men absent carrying home corn. One or two old men came up to see us.

The town is quite large—houses, 2 stories mostly, very few entered from ground; mostly all by ladders. Windows of selenite & glass, or both. Houses of adobe, plastered on outside.

Have old and new carts. Dogs, cats, chickens, cows, oxen, burros. Eagle. ovens on ground & on roofs both.

There are 2 Estufas 1<sup>st</sup> is 20 paces D. [diameter] partly over & partly underground, 10' above & 4' below—circular—built of stone, laid in mud, plastered on outside; whitewashed within; well lighted from ladder aperture and one open window, one ft square. Lintel of the window, of small pieces of wood. Beams, one foot in D,—black with smoke, supported by uprights, 5" thick—Oma-a hole. Altar of mud. The 2<sup>nd</sup> Estufa is counterpart of the 1<sup>st</sup> in all respects, excepting that it has two Oma-a holes.<sup>6</sup> Each with a little olla. A cross was affixed to the white-washed wall.

In their houses, beef drying,—chile, corn, hides stretched out in front. Each house has a small verandah or portal. Wooden troughs,—mud chicken-coops and dog houses. Inside 1<sup>st</sup> house, a big drum, tortoise rattles, water-melons by the score hanging to rafters. Reception room, 35' long, 18' wide, 8 ft. high, banquette 8" high, 3' wide running around the room, roof, of round, peeled pine 6' covered with saplings & earth. In one corner of room a sort of closed vault of adobe, 10' long, 4' wide, 4½ ft. high, in which was sealed up wheat. On other side, dried pumpkin, buffalo robes, Navajo blankets on horizontal poles. The Santanas make unusually large, fine ollas and basins. Have abalone shells.

Next the river, is a road 25' wide, the side nearest the water built up of large blocks of basalt—The corners of houses also defended by buttresses of same rock.

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6. In his notes made later this same day (see below) at the pueblo of Cía, we shall find that this matter of the "Omá-a niche" came up again in more close questioning of his informants. At this point we make another query for our friends, the anthropologist and the archaeologist: were these ceremonial niches which Bourke noted in the pueblos of Hopi, Zuni, Tigua, Queres, and Jémez, perhaps a transition form—possibly a blending of the "si-pa-pú" and the "ceremonial entrance"? Bourke noted that sometimes the "Omá-a hole" was in the floor, in other cases it was in the wall. It is significant that, in 1881, in not a single kiva which he examined did Bourke note what the late Dr. J. Walter Fewkes called the "ventilator shaft," and what Dr. Edgar L. Hewett prefers to call the "ceremonial entrance." (See Hewett, *Ancient Life in the American Southwest* (1930, 221-222.) If this feature had been present in any one of the many kivas which Bourke examined, a man of his keen observation would certainly have commented upon it.



The Santanas have a number of Eagles, 4 or 5—quantities of turkeys and chickens. The chimneys are of olla.

There are no dismantled and only 2 or 3 unoccupied houses; the pueblo has all the outward signs of prosperity.

We ate our lunch surrounded by the usual crowd of good-natured, gaping squaws and children. Some of the women cut hair across eye-brows. Bought 3 quite pretty pieces of pottery.

Ate lunch. Bo't 3 eggs for a dime. Santaneros have built a road for burros and horses up face of the lava mesa to the E. of them; a work involving much cutting.

Church of Santana Pueblo, N. M. sketched November 4<sup>th</sup> 1881. Dimensions 57' broad. 35' high to the foot of bell-fries. Interior, clean and walls whitewashed, but falling to ruin.

The altar pictures are of unusual merit and display through all their grime and faded looks the guidance of an artistic mind. They are four in number, and two others have rotted from their frames. In an old house, found one of the corn-meal niches of Laguna & Acoma, filled.

Inquiring about "Janos," I met with much difficulty, but drew from a number of those interviewed answers which Pedro was satisfied with. I learned of the following clans: Turkey, Chalchihuitl, Tortolita, Coyote, Huacamayo, Maiz—these from people seen in their houses.

Santaneros & San Felipes make stockings, girdles & garters of wool. Saw Apache baskets, Navajo bridles, corn-meal niches, drums.

Found a garrulous, old man, just the fellow I wanted—gave him and his wife and son small pieces of tobacco and when they were in good humor, pumped the following clans or "janos" out of them:

Aguila,  
Culebra  
Tejón.  
Oso.  
Maiz

Tortolita  
Huacamayo  
Turkey  
Coyote  
Chalchihuitl.

He then said there were no Cibola, Chamisa, Sol, Agua, Encina, Verenda, or Sapo.

All the houses of Santana face to South: the pueblo is built in 3 streets, parts being left vacant to form plazas. It is to be observed that Zuni, Acoma, Oraybe and Santana are remarkable for the number and distance of their outlying farms.

The people of Santana have a better equipment of bows and arrows than I've seen since I was at Taos and Picurís, and that they are no mean hunters is proved by the numbers of freshly-killed antelope-skins & deer-skins in each house.

The following are Strout's rough notes of the pueblo: Chimneys of pottery & adobe.

Most houses, 2 stories high.

Chile, corn & beans, melons and onions. They have many glass and selenite windows. Have large corrals. Bake-ovens, on top of houses & on ground. Houses entered from above & below: by ladders & doors.

Cows, oxen, mules, burros, horses, chickens, dogs, cats, turkeys, pigs, Eagles, sheep & goats.

Boy brought us wood & water for 10c. and a box of matches. Governor went & talked with the inhabitants; when he returned, he said the Governor (of Santana) was not in town.

Two old men came to our fire to talk to us: they had on Navajo blankets.

Houses are plastered on the outside. Cottonwood troughs for mules & burros. Four eagles in cages. Had several of the important men of the pueblo, to eat with us. They use cottonwood and piñon for firewood. No houses seemed deserted. A child had a toy-cart, made of corn-husks and another had a rattle made of buckskin filled with shot.

Had abalone shells. Had crosses and wooden saints in every house. One of the streets was built up from the river with rocks & brush. Ten Indians gathered around us while we were eating; gave food to the two oldest and tobacco to all the rest.

All houses in Santana face to the South. These Indians mount like Americans on L. Side (N. B. The Navajoes mount on either side. J. G. B.)

Have many bows & arrows, with antelope-skin quivers; evidently hunt much as we saw many green antelope skins in their houses. There are four streets and two plazas formed by leaving out a few houses from two streets.

Seven miles of distance separates the pueblo of Santana from that of Zía; this journey, over good roads and in good weather should be made in one hour. The road we had to travel was very bad in the extreme and even by great stress, we found that 2 hrs. 40 min. were required to put us at Zía.

We had to cross the broad valley of the Jémez or Santana creek, which, in other words might be described as half a mile of quicksand.

Having passed that, we floundered through sand-dunes with not a spear of vegetation to mar the symmetry of their wind-rippled contours; or toiled up the steep slopes of hills of sand covered with a scraggy growth of cedar which in the pale rays of the rising moon, threw deep and fantastic shadows across our path. (Footnote: Met, in the moonlight, two Jémez Indians driving a wagon.) At last, the lights of Zía flashed out into the darkness, from the brow of a little mesa. Once more, we pushed across the river (whose course we had steadily followed) and reached the entrance of the pueblo, one of the smallest in the whole list.

I saw a young girl looking at us from the shadow of a house-corner and called out to her that I wanted to see the Governor. Met two Jémez Indians at this point. Presently, a young man came down the hill-side and our friend and guide "Pedro" explained who we were and what we wanted. His words must have been eloquent, for the young man: "I am not the Governor, I am the Governor's son. My father has gone to Santa Fé. I don't want you to sleep out there. It is too cold. Here is a good empty house." Nothing loth, we followed and were shown into a brand new room, 18 ft. square, 12' high, earth floor, adobe walls neatly white-washed, ceilings of square-sawed pine rafters, and planking, a good fire-place in one corner and a glass window. This dainty little den was lighted by a coal-oil lamp (!), supplied with two pine tables & six pine chairs and a young squaw, the wife of the young man. Jesús was actively blowing upon some embers to start a fire, while a second one ran to get us some fresh eggs. Nor were our mules forgotten—one boy brought corn-husks another corn—and a third, fire-wood and water—

Supper! cried Hall—and my notes had to be discontinued temporarily. I swallowed my meal in haste, being anxious to improve the early hours of the evening in making a preliminary tour of the pueblo.

This, I found to my astonishment, to be almost entirely in ruins; there were lights in nine houses only and many were occupied as stables for burros & cattle. Allowing for other families absent or asleep & not having lights in their houses, there can't be over fifteen families in Zía to-day.



The deserted and ruined buildings would lead one to believe that it contained in its palmy days ten times as many.

When I returned to our house, the Governor's son had come in and been invited to eat. He was in rare good humor and responded without any surliness to my questions concerning the clans. He said that he himself was Yovva, or Maiz,—his wife & children, were Soolk or Coyote. In the pueblo, there were very few clans because they had so few people, but counting in the old men & women, the following clans were represented:

Tortolita, Bunchi, Oso, Maiz, Aguila, Coyote, and, a new one, the Huash-pa-jano—Chamisa or Sage Brush. This, he said, also existed at S<sup>to</sup> Domingo along with Huacamayo & Chalchihuitl. Both Pedro and Jesús, under Pedro's tutelage, became quite communicative: Pedro told Jesús that I knew everything about Indians and had travelled among Moquis, Zunis and Navajoes.

Jesús said that the houses here belong to the women; that in these houses were little vases of corn-meal to throw to the Sun: "here he said, "I have some, and from his waist-belt, he lifted an old-style cartridge-box and, first drawing out a little bag of silver, put his fingers in again and drew out a tiny bag of corn-meal. "See! there is not much of it," he said, "it is nearly all gone, but here it is."

Then I asked him if they knew who Omáha was, and they looked surprised. Finally, Pedro said: "yes, we know." The next question was rather a searching one: "what was the object of those niches in the walls of the Santana Estufa?—in which we had today noticed ollas of corn-meal and gourd rattles?"

The answer came very promptly! They contained offerings to Omá-a and were for the same purpose as those seen in the Moqui & Zuni Estufas: "Omáha and the Sun are the same. He sends rain and harvests. We throw that corn-meal to the Sun that we may have good fortune."

I now rose up and drew with my pencil upon the wall a figure: "Oh! yes, we understand that—we have that in our Estufas too.—That's for Omáha to send rain— Yes, that is rain— yes, those are clouds— yes, those snakes are lightning—we know that picture."

I was very much in fear of using up the patience of my Indians, never very great. Altho' they seemed willing

7. See notes 3 and 6, above.

to talk, I told them to go to bed and come back in the morning to take breakfast with me and after breakfast we could talk all we pleased.

Jesús said "We never talk of these things to Mexicans. We see that you are not a Mexican.—that you know much of our customs and will tell you all you want to know and show you all you want to see.—the Estufa, the old church and all our houses.

There'll be some more eggs here for you in the morning. Buenas Noches, Amigo."

Total distance to-day 25 m.,—40 m. on ordinary road.

*November 5th 1881. Saturday.* Day dawned clear, cold and beautiful, with the first flush in the Eastern sky. Hall tapped at our window and opened the door followed by a delegation, consisting of the son of the Governor and half a dozen others who ranged themselves quietly around the walls and watched with unflagging interest the preparation of our breakfast. Stimulated by such attentions, Hall surpassed himself placing before the gaze of the aborigines poached eggs, tea, hot cakes and beefsteak and onions.

Zía, altho' one of the smallest pueblos, is one of the most interesting to the student and traveller. The new houses, as I have intimated, are really Mexican cottages with many modern improvements not to be seen in many of the latter.

The ruined and decayed houses carry one back to very primitive times.

Here we find walls of round masses of basalt, of various sizes from 6" to 12" in D. but generally of the smaller, found in the immediate vicinity and built up with mud into walls of regular appearance.

The first floor is frequently raised a foot above the natural surface upon a platform of basalt blocks and mud and the outline of another such platform, no doubt the floor of a veranda such as is attached to the front of houses in Santana, is easily traced.

The roofs are of round, peeled pine saplings, 4" to 6" in D. broken or cut by some very blunt instrument, then a covering of riven and blackened branches, then one of grass and twigs and finally that of earth and mud. The fireplaces are of flat pieces of sand-stone, laid in mud, and of same types as those in use to-day. The rooms are very small—two in front—each 8' front by 16' in D—6½ high, and one in rear of dimensions on ground of one of the front ones. The foundations go into the ground some 6 or 8 inches. Cellars underneath for store-rooms.

The ruins are so blended & confused that it is difficult to decipher each house, but, judging from the manner of living in Zía to-day, the above is substantially correct. Some of the old and *all* of the new houses are of adobe. On the side towards the creek the road is built up, or rather revetted with basalt boulders to a height of ten feet.

The Zía people are what the Spaniards called Queres, —a name the Indians don't all seem to understand.<sup>8</sup> They, like the rest of their nation, are under-sized; the men 5' 3"; the women 5' or a trifle less, but all well proportioned. Their complexion is light, except when exposed to sun.

Their countenances are pleasing, but not especially intelligent. Teeth are very often defective and not to be compared in whiteness or strength to those of the Plains' Indians. Their dress, manner of cutting hair, &c. are identical with those of other pueblos, previously visited. The women, in nearly every case, wear under-garments and little children never go naked out of doors.

They have horses, cows, oxen, burros, goats, sheep, chickens and turkeys. There is one Eagle in this pueblo. There is a great plenty of native corn, chile, pumpkins (dried), water and musk-melons, dried. Eggs are raised in small quantity and inside a house this morning, I have seen a freshly-hatched brood of chicks. Dogs, it is not worth while to add, are numerous. Windows of selenite, in every house except one or two of the newest. Corn-meal vase in Governor's house.

Front of Ruined Church of the Virgin, Zía, 40 ft. broad, 25' high to base of belfry. Cross in grave-yard in front, 15' high. Interior going rapidly to decay. The face of the Blessed Virgin in the main panel of the altar-piece has defied the ravages of time and the elements and still preserves traces of gentle beauty. The side medallions are lambs, but somewhat better than the fearful atrocities to be occasionally found in Pueblo churches. The wooden figure of the Savior on the Cross, must have been intended to convey to the minds of the simple natives the idea that our Lord had been butchered by the Apaches. If so, the artist has done his work well.

The ceiling of this church is of riven pine slabs, and, according to Jesús, is "muy viejo." The nave, measured

8. The origin and meaning of the name Queres, or Keres, have never yet been decided. See J. P. Harrington, *Ethnogeography of the Tewa Indians* (extract from 29th Annual Report, B. A. E., 1916), 574.



from the foot of the altar to the main door is 37 paces in length. Earthen ollas are in position as holy water founts.

Ovens are built on ground; some of them are made of basalt and mud. This pueblo has evidently been at one time very large. Jesús said that Navajoes killed and drove away a great many of the former inhabitants. The chimneys are made of ollas. Black, white and red pottery are made here.

Carts of both *old* and new patterns are in use; the women last night brought up one packed full of melons. The women of Zía are surly to strangers, in presence of their male relatives. One of the houses of Zía is two stories high. Saw a child's toy wagon made of corn-husks. In front of every house, quantities of beef were drying in the sun. The Zíans are advanced beyond the other Pueblos to the extent of having little home-made chairs of pine. Abalone shells hang upon the walls of their living rooms. Little children began to run naked about the streets.

Entered a house of the Coyote gens. My guide used the word Zorra or Fox, so often as a synonym for coyote and I have seen fox-skins so often in their feasts that I cannot help thinking that this should be called the Fox gens and not the Coyote. The old man, who came along with our party, told us that the houses in Zía belong to the women; when a woman dies, she leaves her house to her daughters. An *Indian meal niche* was discovered in this house.

Bought a small but pretty olla. Saw children with the backs of their heads shaved on account of lice. In another house (Maize gens) also found one of the sacred corn-meal niches:—many holy wooden pictures and a crucifix: the Indians dislike to sell these. The 3<sup>d</sup> house was of Coyote gens. Corn meal niche and saint's pictures on wood: also wooden "Santos." Abalone shells on walls of nearly every house, and pieces of them worn by children. In this house, I was presented with a frozen watermelon. I liked the taste very much. In another house (Coyote gens) was an image of the Blessed Virgin. In another house (also Coyote gens) they were making saddles. Abalone shell on wall: also saw an "arrow straightener" of perforated bone.

Saw an eagle, kept a prisoner in an abandoned house: saw two large, well-shaped mortars of basalt. The people of this pueblo make garters, sashes and leggings, but not blankets. Zía raises apples, peaches, plums, grapes, wheat and corn: eggs are also obtainable but milk is a luxury.

Entered another house (Maiz gens), there was an old woman making tortillas: alongside of her, a blind girl. Sacred drums hanging to rafters. Saints' pictures and images. Took an old Indian, Juan Pedro Medina, with me. Asked him where the corn-meal niche of this house was; "Portrás, no falta nunca; siempre hay." Entered another house (Coyote gens). Asked for the corn-meal niche: the woman of the house pretended not to understand me. Juan Pedro made them show it: it was in next room. In this pueblo, all the corn-meal receptacles are old china cups set in the walls.

They have a curious mode of preserving watermelons during winter; a net-work of fine grass or of willow twigs is made in the form of a very open basket; in which the melon is suspended from the rafters of one of the cool, dry rooms, not in general use.

In another house (Coyote gens), saw the corn-meal niche. In another, women & children, Bunchi gens; & man, Calabaza gens. Corn-meal in a little basket in a niche; the basket was of *Moqui* make.

Watermelons were offered us. Stood up in a row with our Indian hosts; there was a bull pup on one side of me and a naked little girl on the other. Strout and I soon learned to eat with an Indian "suck," which sounds very much like a dozen young pigs at a swill-tub. Everybody in this house—in fact in this pueblo—seemed to be eating watermelons on this particular morning.

In the "plaza" of Zía, is a wooden cross 15' high.<sup>9</sup> Another house (Maiz gens) had a sick man in one corner of inner room. There were three very spirited drawings in black, on the white-washed wall, two of horses, one of a bull. There was also a corn-meal niche. Another house (Maiz gens) had a corn-meal niche. Here also were Indian drums, Navajo blankets and bridles. Much fresh mutton on horizontal poles: corn, beans, chile, and pumpkin seeds. The statue of the Blessed Virgin (from the Church) Moqui sashes, old buffalo robes from the Staked Plains seen in several of the rooms. In another house (Maiz gens), there was the usual corn-meal niche, Navajo blankets, and a great pile of corn-meal, ollas, ground chile, meat, corn in the ear, melon, dried meat and dried pumpkins.

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9. The large cross at Cía goes back to the reconquest by Don Diego de Vargas in 1693, though the actual cross may have been renewed one or more times during the long centuries. It would be interesting to have a "tree-ring" reading from it.



There are two Estufas in Zía. The new one, built of basalt, laid in mud, plastered within and without and washed a faint yellow on the inside, is overground, square,  $12\frac{1}{2}$  paces on a side, 10 ft. high, and entered by a ladder to the roof and thence to the interior by another, of 9 or 10 rungs 12" or 15" apart. There is no "altar" (hearth), but a regular fire-place. There are two small holes, each one ft. square, for light and ventilation; a hole for Omaha.

The old man entered with me; he said: "when we smoke here, we smoke to the four winds, to the Earth and to the sky" "That is to "pedir la Suerte." The rafters are of round pine, 14" in D. peeled. The roof of riven slabs, covered with clay: there are vertical supports in centre.

The "old" Estufa is precisely the same as the new, without having plaster on the walls and without there being a hole for Omaha. Leaving Zía, the road goes North up the east or left bank of the Jémez or Santana river to the pueblo of Jémez; formation changing from the basaltic bluff upon which Zía stands to one of red sandstone: the road, the whole distance, is very heavy and movement of vehicles is much retarded. A mile or so out from Zía, passed through the corn fields of that pueblo and a herd of fine ponies; had east or left bank of the Jémez or Santana river to the pueblo Indians knew the North Star, "Lucero," the morning star, the stars that move around the North Star (i.e. the Great Bear), and the "Three stars in the East" (i.e. Orion's Belt). They had names for them all and smoked to them all, but especially to Lucero, the Sun and Moon. The time from a "luna fresca" to another "luna fresca," i.e. a lunation, was (30) "treinta dias." The days and nights were sometimes equal; sometimes the day was longer than the nights and sometimes the night longer than the day; sometimes, the sun was very high and sometimes very low. When he (The Sun) was very low, the weather was very cold and the nights very long; then, there was a dance in every pueblo. The North Star didn't move, or at least only a little. Formerly, when the Sun was very low (i.e. in time of Winter Solstice), in the time of Noche Buena (Christmas), the old men used to make the Sacred Fire in the Estufas; they used to make it by rubbing two sticks together; afterwards, they used flint and steel, but now they use matches. But, he thinks that this "costumbre" is dying out: at least, in the pueblos on the Rio Grande.



The old man, Juan Pedro Medina, told me this morning that there were many of the Chamisa and Chalchihuitl clans in Santo Domingo, but only a few clans in Zia.

Saw several flocks of ducks, and geese and an occasional jack-rabbit this morning. In the Mexican "plaza" of San Ysidro, bought some eggs and a small amount of bacon.

Reached Jémez about half past one in the afternoon: distance from Zia, 8 or 9 miles. Hunted up the "governor" of the town; found him working at a new door for his house. I have before observed that many of these Pueblo Indians evince a great aptitude for all sorts of handicrafts, —carpentry and joiner-work especially, but also for blacksmithing, silver-working, saddle and bridle making, weaving and knitting. Halted our ambulance outside the pueblo, near the old church and alongside a corral, with walls of adobe, rock and mud, and "cajón." The gates were of wood. There were other "corrals" of same pattern near by.

The Governor provided us with accomodations in the house of Juan Pedro Culaca; his wife was repairing the selenite windows as we drove up and a little boy, with abalone shell at neck, drawing a very archaic and rickety specimen of a toy wagon, gazed upon us in childish wonderment.

The houses of this pueblo are of adobe, with verandahs or "ramadas" of wood over the doors, formed from projecting rafters. Chimneys are of ollas: ovens are built on the roofs. Windows are of selenite.

The governor told us, and the old man last night confirmed his statement, that in all the pueblos, a two-year's supply of corn was always kept on hand.

The "placeta" upon which our room opened was ablaze with "rastras" of "chile colorado." Two burros, eating out of a wooden trough, or "canova," and three mangy curs alongside of them. The old woman of the house soon raised a dust in sweeping out the floor; when that had subsided, I found occasion to examine our quarters. The house was formed of two rooms, each 17 or 18 paces long, by 5 paces broad and 10 ft. high. Built of adobe walls, white-washed on the inside and a band of gray wash, 2½ ft. high, running around the floor, which was of earth, levelled off smooth and packed down firm. Ceiling of flat, long pieces of pine, running lengthwise of the room and resting upon two cross-beams of peeled pine, 8" in Diameter. They are entered by a doorway, 3½ ft. high and 20" wide, with

two steps descending into room; there was one window 18" sq. at each side, selenite slips, 4" square, for panes. In one corner, a little shelf and in another a fire place. A 3<sup>d</sup> room, or lumber closet, was 15' sq. and had one small window and on the far side a raised platform, covered with corn in ear. In this apartment, saw Moqui girdles, green wooden tablets for head (same as at Moqui and Santo Domingo), rattles & buffalo-ropes (much worn). The front door of our house was locked with a key, but the inner doors fastened with buck-skin strings. The house was only one story in height and there was no cellar.

The lady of the house told me that she was from Peco, that she was Tu-e, (i.e. her father was a Tu-e); she belonged to the Chalchihuitl gens; had had two husbands; the present one was Coyote, the first, of the Maiz clan.

I asked where the niche of Sacred Corn-meal was—the Corn meal which she threw to the Sun. She conducted me to the rear room and there in a niche in the wall and upon a little flat basket, of Moqui make, was a pile of corn-meal. I took a pinch of this and threw it to the Sun, much to her satisfaction.

Rambled around town—saw a woman building, on the ground, an oven of stone and mud. I entered a store kept by a Mr. Miller: <sup>10</sup> he told me that the pueblo (Jémez) had a population of 401. That they raised apples, grapes and peaches, wheat, corn, hay, and corn-fodder; vegetables—onions, chile, melons, chickens and eggs. They have a few turkeys: they have cows, horses, burros, dogs and Sacred Eagles.

There is no church; the church fell down about ten days ago—the great amount of rain this summer falling upon earth roof proved too much for the resisting power of the old beams which gave way, falling in a heap of ruins upon the altar, but leaving the facade intact with the steeple in which are hanging two bells of small size.

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10. John W. Miller served for a number of years as government farmer. Jémez Indians still remember him with gratitude for showing them how to siphon their ditch under the stream-bed of Vallecito creek; previously every year it had been washed away in the spring freshets. In later years he retired to a property which he had acquired in Jémez Springs—including the ruins of the 17th century Spanish mission San José de los Jémez, and much of the old pueblo Guíúsewa. After his death about twenty years ago, his widow (one of the former teachers at the Presbyterian mission in Jémez pueblo, and still living) practically gave six acres enclosing these ruins to the Museum of New Mexico. It is now a state park.

Mr. Miller found the "old men" at Jémez very conservative when he tried to introduce such ideas as the rotating of crops and better breeding of their stock.



Our landlady furnished me with a list of the Jémez clans: they have Chalchihuitl, Pino real, Encina, Sol, Aguila, Coyote, Maiz, Tejón, Calabaza, Cuervo, (two only left of the last); Chamisa, Culebra, Cíbola, Agua, Sapo, Conejo, and Guacamayo, not represented. She said that there was "mucho coyote gente" in the pueblo: the people of Ci-Cuyé or Peco, spoke the same language with those of Jémez.

For dinner, Hall gave us sweet potatoes, boiled and fried, chocolate made with the milk bought this P. M.; biscuits, omelette and butter—a feast fit for any king and too good for most of them.

The women of Jémez are much better looking than those of most pueblos: their eyes are deep and full; lashes long, feet and hands small; manners, gentle and courteous.

The houses in Jémez are of one and two stories; Apache baskets are plenty,—they never seem to wear out.<sup>11</sup>

The "governor" told me that he had spent two years, working at Los Angeles, San Diego, San Bernardino and Fort Yuma.

In company with Juan Pedro Culaca and Lorenzo Huaqui, descended the 1<sup>st</sup> Estufa; rectangular 33' x 20', overground, 10' high: walls, brown-washed, covered with figures; of sun, moon, morning-star, evening star, buffalo, pumpkin, corn, deer, horse, thunder, clouds, lightning, snakes and sea-serpents.

Saw three eagles in cages on tops of houses. Jémez consists of two streets of houses, facing each other. The women bang hair.

The second Estufa had pictures in large size and, like those in first, extremely well done, of turkeys, two eagles fighting, hares, morning star, moon, dipper of seven stars. Bean plant, Watermelon vine, Deer, Lightning, Corn, Indians shooting turkeys (with bow and arrows)—the turkeys on a tree. Deer suckling fawn. Buffalo—Mountain Lion springing upon a Buffalo. An Eagle grasping a fawn in its talons; a star: another turkey: a man on horseback, a duck, & Eagle chasing ducks. These paintings in both Estufas were extremely well drawn and faithfully colored. Each Estufa had an altar or hearth to protect fire-place.

Bought of a young boy, a couple of pictures, cleverly done, representing the Zuni or Moqui Coyamasés dancing.

11. These were the well known "Jicarilla" baskets, obtained in barter from the Apaches of that tribal name, who had been moved in 1873 to a reservation west of the Rio Grande and north of the Jémez country.



The youngsters said that they were "Moquinos"— From the care with which there were preserved in the family, and influenced to a considerable degree by what I had noticed in the Estufas as well as by what had been told me in other pueblos, I became convinced that the Jémez people were one and same cult with the Zunis and Moquis.

There are regular stairs in all the two-story houses. In one of the houses there was an old man sick with chills and fever ("calenturas"); I saw the Sacred Corn-meal niche: also Apache baskets and an old Navajo water-jug: a dancing tablet of wood, painted green, like those in Santo Domingo and Moqui. Entered another house (Maiz gens): two stories high; whitewashed, clean and neat. Heavy timbers, 16" in D., peeled pine, used in its construction.

A platter of sacred corn-meal in niche— The "living room" of this house was 35' x 25' x 8' high. Entered another house, (Maiz gens); bought pottery. Had the pleasure of looking down upon a dog-fight in which (16) yellow dogs participated.

Entered another house, (Tejón gens); where I found a round, wooden idol (painted) exactly like those seen in Moqui. Entered a house of the Aguila gens

then one of the	-----	Calabaza gens
" " " "	-----	Tejón "
" " " "	-----	Encina "
" " " "	-----	Coyote "
" " " "	-----	Sol "

In the house given as Coyote, I should have said Sol, that being the clan of the wife to whom the house belonged. The Sol people claimed to have come from the old abandoned pueblo of Pecos.

In Jémez, I came across people called "Moquinos," who were said to be Moquis and of same band as the Moquinos spoken of as met at Sandía. Entered the house of the Cacique of the Sun. He belongs to the Maiz gens—his wife to Coyote. There were many "holy pictures" of Saints in tin frames and right alongside of the crucifix, was a niche, with its little bowl of Sacred Corn-meal. My guide on this ramble, the Governor of Jémez, told me that the Cacique of the Sun had charge of all their dances and of the "business" in the Estufas; he knew when planting should begin and when harvesting; his office is hereditary, for said my guide, "when he dies, his son becomes Cacique." "The houses here

belong to women." "Women, my landlady said, can propose marriage to men." Our landlady was very indignant when I told her of the story I had heard of the snake at Cicuyé (Pecos.) eating up a baby every morning. She said: "mentiras! mentiras! mentiras."—and about the Snake at Sandía, "nunca; ha sido mentira; no lo creo." I made a call upon the Padre, but he was not in his house.

When I questioned the Jémez Indians about the ruined pueblo near Mishongnewy, they all said that a few years ago *those* Indians came to the Rio Grande on account of bad crops and hostile Navajoes—not very long ago, maybe 20 years. (I think about 40 or 45. J. G. B.)<sup>12</sup> They lived in Jémez, San Felipe and a few in Sandia, but after about (5) years when the Moquis had expectations of a big harvest, nearly all returned. "There is one of these Moquinos—a woman—here in Jémez now, and a man in San Felipe."

Strout's notes upon Jémez:

"Corn on top of houses and on ground. Selenite and glass windows, Cows, horses, mules, oxen, burros, goats, and sheep, dogs, cats and chickens and a few turkeys. Also a few eagles. Corn, wheat, hay, corn-fodder (in big stacks on roofs of sheds), chile, beans, peas, melons, squash, pumpkins, a few grapes, apples and peaches. Chimneys of adobe, with pottery tops; also chimneys all pottery. Abalone shells and Navajo blankets. Men wear citizen dress in part, coats and pants. Hair loose in front and on sides; done up in queue behind:—band around forehead. Have many bows and arrows and some rifles. There are many antelope skins and horns—also deer horns (in walls). Cottonwood troughs. Have locks on door knobs.

"Bought milk from a little girl and water from a man. Governor told us to carry into the house anything in our ambulance that might be stolen. Use piñon, pine & cottonwood for fuel. Much fuel on hand. They say that they have much snow in winter. Saw a boy making mocassins. Saw one American plow. Use regular flights of stairs to descend to lower stories of houses. Enter houses by ladders. Make saddles of wood, covering them with raw-hide. Have old and new styles of wagons. Houses are of one and two-stories. Have apple and peach orchards. Use car-

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12. Apparently the ruin about which Bourke inquired was the old Mishóngnevi which had been abandoned about 1680. The answer which he received seems to have concerned a temporary migration from the modern town of that name.

penter tools. Women bang hair in front, club it behind, and leave it flowing in long locks by the ears. Houses are of adobe with stone (basalt) foundations and lower corners. Roofs covered with corn in the ear, drying for winter."

Had a dozen Indians in our house to-night. Bought a couple of Jémez pictures from a boy; little boys cut hair in front; men wear it loose, tied with a red band at fore-head. I asked one of our Indians why the "crier" was shouting through town this evening: he replied: "to tell the people to get wood for the Cacique of the Sun." He then continued: "the Cacique does no work; he stays at home, watching the sun." I showed him the picture of the marks on the wall of the house of the Cacique of the Sun in Zuni: he said: "our cacique has the same in his house."

The Indians of Zía, Jémez & San Felipe bury feathers in their corn-fields. I forgot to mention our visit to the house of Mariano Culaca. He said that his father was—"Encina," his mother "Coyote" and himself Coyote—and his *wife* also Coyote. "How is that?" "I am Coyote del Sol and *she* is Coyote del Chamisa. (from Pecos). He went on to explain that the Coyotes del Sol were the original Jémez Coyote gens, and the Coyote del Chamisa, a clan of the same name from Cicuyé, which had the suffix "Chamisa" given it as a distinction; so the two clans were entirely distinct, altho' having the one title. I made inquiry as to any traditions existing among them about the Pueblos who had escaped to the Navajoes in the time of the war with the Spaniards but they knew nothing; they said the Navajoes called them "May-dish-kish-di," but they had never heard their old men say any Jémez people were living among the Navajoes.

*November 6th 1881. Sunday.* I had no rest last night, my sleep being constantly broken by the movements in and out of the house of men, women and children answering the calls of nature, there being no household accomodations for such purposes in Jémez. After the midnight cock had crowed, our ears were torn by the yelping and barking of half a hundred curs, assailing the sentinel of the pueblo as he made his nightly rounds.

Hall's slumbers too were fitful and not having any watch to guide his actions he arose a trifle too early and had breakfast, smoking hot and ready, at a *quarter to four*. We had to get up and eat, much as we grumbled at the absurd



mistake which would have involved more unpleasant consequences had we been obliged to take our meal out in the raw, cold morning air.

Our sleeplessness was due, I imagine to two causes: one, that we, like everybody in the pueblo, retired at a very early hour in the evening, a quarter before eight, and the other, that our good-natured land-lady had made us and the Indians visiting us, eat a frozen watermelon after supper—the second proof of her good will of which we had been the recipients. I shall often think of this open-hearted, cheery, hospitable, loquacious, old woman; her intelligent enumeration of the Clans of her pueblo and the mole on her nose. Added to the two causes above given, might be nervous prostration: yesterday, we tried to do too much and overtaxed ourselves. We called on the “governor” of the pueblo, visited the old church, and made a sketch of its façade, entered the (2) Estufas, and copied all the pictographs we could, rambled all over the pueblo, taking notes upon every topic, and entered no less than 25 or 30 houses; and, besides all this, purchased grain and hay for our mules, wood, water, milk and eggs for ourselves, hired the room in which by the flicker of the tallow “dip,” I was now jotting down these hasty memoranda.

The Presbyterians have a teacher and a school at Jémez and we intended calling to see both, had not lack of time prevented.<sup>13</sup> We asked our guide what the “crier” was shouting and as we asked the question, the land-lady entered; both responded that he was calling out for the pueblo to awaken; morning had come and all should arise and prepare for the feast of San Diego, which was to be celebrated one week from that day.<sup>14</sup> The women should grind corn and the men bring fuel that all the visitors coming to the pueblo to attend the Feast might be gladdened and refreshed. The “crier” in each pueblo, our guide told us was elected yearly the same as the “governor.”

The landlady didn't know the North Star, but she did know the “Carrito” (Great Bear) which she called

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13. According to the plan initiated in the time of President U. S. Grant, the educational work among the various Indian peoples was arranged for with the various church bodies. The Pueblo Indians having been assigned to the Presbyterian Church, work had been begun in 1876-78 at Zuñi, Laguna, and Jémez. The missionary in charge in Jémez at this time was the Rev. John M. Shields, M. D.

14. The patron saint of Jémez was, and is, Saint James (San Diego), so that their annual feast day was November 12.

Tsim-un-go. The belt of Orion—"Tres Marias," and the Pleiades, which she called "La Cabrilla" (The she goat.)

She said that in Jémez, were raised apples, peaches, apricots, plums, grapes, wheat, corn, frijoles, peas, and a great amount of chile. She also said that she and another woman, and their families, were the only ones of the Chalchihuitl gens in this pueblo. She had no idols of either wood or stone, but she did have some dearly-cherished monstrosities on paper which, after much persuasion, were produced and shown me: I coaxed her into selling them both for a quarter. Her reluctance was swept away in great part by our allowance of very liberal prices for the entertainment of ourselves and animals. The idols were duplicates of those secured last night from the house where, cheek by jowl, they vied in hideousness with the tin-framed, painted and begrimed daubs of San Antonio, San Juan and San Diego.

Had a wretched road out from Jémez towards Cochití: rolling sand-hills, full of basalt boulders and covered with a thin growth of cedar. Our guide told me that the people of Isleta were now almost Mexicans. They used wheat flour for bread which they made excellently well and cakes and pies like those of the Mexicans. They scarcely used "metates" any more, and didn't eat "wyavi." They also made good wine. (all this I had already had in my notes upon Isleta.) Yesterday, we saw "Wyavi" bread in Jémez, and to-day, our guide described to us a "wyavi" gruel, made of red cornmeal and milk which he pronounces delicious and says it is held in great consideration by the people of all the pueblos. He says that there are a number of words in the Jémez language almost the same as in his language, but this was not so of the language of Isleta.<sup>15</sup>

Our road wound over and around a range of high steep hills of sand and basalt blocks: very hard pulling.<sup>16</sup> From our guide's account of the Cacique of the Sun, I inferred that, in the pueblos near the Rio Grande at least, he must be of the Sun clan or closely connected with it: the position goes to his eldest son, or in default of heirs male, then to son of eldest daughter: she, being without issue, the clan

15. Bourke's guide, the governor of San Felipe, was of the Queres language, while the language of Isleta was Tigua.

16. See note 5, above. With the building of the railroad from the Rio Grande valley westward, this former stage-road had now been in disuse possibly for two years—long enough for it to get in bad shape. But it is still a short cut from Jémez to Cochití and saves about half the distance of going around by Bernalillo.



would elect an officer to hold the position—to be vacated upon birth of heirs male. Women *can* propose to men. "Such is our old custom," he said—this statement coincides with that made by our land-lady this A. M.

Got over the sandy part of the road after four hours' hard pulling and then had three hours more of good driving until we got to Cochiti. 35 miles. Went to the house of the Governor.

Entered through roof by ladder—room 30' long x 15' broad, 7' high, lighted by two selenite windows. In room, three young women & several children—Women wore hair banded in front, loose at side and clubbed or loose at back. Wooden images of Saints, abalone shells, ristras of chile—corn in ear or shelled—Batons of Office—young girl grinding wheat or corn-meal in metates. The Governor received us kindly, took us to a room for ourselves and showed us a corral for our mules—sent after corn and husks, fuel, milk and eggs. The milk came in less than no time—nearly two gallons of very pure rich stuff—the old woman asked 45c, a very reasonable price.

Our room was already occupied by a lot of women & children employed in various domestic vocations—grinding corn, making bread, &c. When we entered sat down & began writing, a crowd gathered reinforced each moment by the idle youngsters about town and by 3 or 5 worthless Mexicans, making an aggregate of over 30.

Our room was 50' l. 20' w. 8' high—Walls, adobe white-washed brown floor band 18" in height—Floor, packed clay. Ceiling, round peeled pine rafters, 6" thick, one ft. apart, covered with successive layers of twigs, hay and clay. Three selenite windows on one side 2' square set on outside of wall, the 12 in. in thickness of which made a niche. Two fire-places.—One door to enter 4' h. x 20" w. of pine plank *nailed* together. No Lock. Door held to by buckskin string.

In room, plenty of corn in ear, piled on floor, chile and pumpkins, crosses and Saint's pictures in tin frames, Onions, Gourd & Tortoise rattles. None of the children naked, but none of the smaller ones wearing much more than a slip, reaching barely to the knee. Both sexes, when young bang hair & wear it loose. When they grow older, may or may not tie up in a queue with red worsted behind—Men wear brow-bands.

Women in our room were making what they said was "wyavi de leche"—apparently, of corn boiled soft and then



rubbed upon a metate—with fresh milk to form a suitable dough.

Felt somewhat like Louis XIV while I was making my toilette with so many eyes upon me.

Church of [San Buenaventura] Cochití very old and dilapidated; the interior is 40 paces long to foot of altar by 12 broad. It is built of adobe and whitewashed on the inside—Altar pieces showing signs of age—swallows making their nests in rafters. Ceiling of riven slabs, nearly all badly rotten and those which had been nearest the altar have been replaced by pine planks, covered over with Indian pictographs in colors—red, yellow, blue, & black. Buffalo, Deer, Horses, Indians, Indian in front of Lodges, X [cross] and other symbols. Olla used for holy-water-fount. The cross had fallen off from front of the Church and its whole appearance is strongly suggestive of decrepitude and ruin.

Walked through town with Governor. It has four divisions—in two of them being small plazas. Houses mostly one & 2 stories high. Windows mostly of selenite.

Two Estufas. 1<sup>st</sup> 12 paces in D. Circular, overground 8' deep, approached by a staircase of ten steps of undressed wood. Lower courses are stone—upper of adobe; plastered within & without; whitewashed within. Roof supported by a horizontal pine beam, squared, 2' thick, under which are vertical struts of pine.—No hole in wall, no windows & no air Except down through ladder-hole. Green corn painted on walls. Ground very damp. Second Estufa—identical with first. Cross on wall.

People here have old & new carts, horses, in abundance, goats, sheep, pigs, chickens, burros & dogs. A number of worthless Mexicans living near by. One of them came up to where I was writing: nose eaten off by syphilis (or Lupus)—the most loathsome ulcer I ever saw on a man's face.

The Governor declined to have any talk about "Janos." The Lieutenant-Governor after much persuasion, told me that he was Huacamayo (Si-Shawati-jano.) and his wife, Melon. (Ish-hanni-jano.) Eagle, Sol, Agua, Encina, Verenda, Tejón, Maiz, Oso, Turkey, Coyote, (No Snake. No Frog.)

Houses, of basalt, in round blocks, in lower courses—adobe above. The conduct of the Governor at this point was very strange—his talk was smooth as silk, but his actions, unfriendly & suspicious. Wherever we went with them, a

half-dozen villainous Mexicans followed close behind, the fellow with the ulcer in his face where his nose & upper lip had been being the best looking coon in the lot.

Hall complained that he was interfered with in his duties by others of the same gang and both he and Mullen feared that our mules, or our blankets and arms would excite the cupidity of the lemon-colored scoundrels during the night. Several of them approached Strout and asked if he had change for a \$5 Bill—a question too plain in its import to deceive anybody. They merely wanted to learn whether we had much money with us or not. They got no satisfaction. We merely told them that we hadn't any money or provisions with us, having been absent on a long journey. A fight was imminent during the night if we staid. The Mexicans outnumbered us ten to one and our arms were only one half what we required. Discretion here, was truly the better part of valor. I gave the order to hitch up, crossed the Rio Grande by the ford, drove to the little town of Peña Blanca and found accomodations for self & animals at the house of D. Feliciano Montoya.

Here, we had corn, hay and stabling, for the mules—a corral for the ambulance, a room for Mullen & Hall—a good, deep well of cold water—a large room with a brisk fire for Strout & self and a place in which Pedro José could cuddle up and snore by the fire. We had a great hubbub in getting drinking water from our landlady—then we must have a pint of the *Vino del Paiz* and at last it occurred to Pedro that for him there was no happiness without a dime's worth of *Bunchi*,—or Native Tobacco. For this, we sent and then made ready to turn in.

Strout's Notes on Cochiti:

Houses one & 2 stories high. Entered by ladders from the top & from doors on ground floor.

Have horses, mules, burros, oxen, cows, dogs, cats, pigs, chickens, turkeys—but no sheep or goats. No eagles. Glass and selenite windows, the latter in excess.

Grind meal upon metates. Chile, corn, corn-husks, wheat, beans, onions, squashes, pumpkins, peaches, apples, plums, and apricots. Their farms are on the E. side of the Rio Grande.

Men do their hair up in queue behind and wear it loose at sides & in front.

Women bang in front, queue, behind, loose at sides. Some of the man bang and all wear brow-bands.



(Pedro here interposed a remark that *all* Pueblos banged their hair—that was the *rule*, from which, of late, many deviations had occurred. The Pueblos long, long ago were all one people and they are so to this day. He had heard of the Cohoninos—said that they were Pueblos too—lived far away.)

Men frequently wear citizen's dress. Women wear costume of the Pueblos.

Ovens of stone & mud on roofs & on ground. Chimneys of adobe & of pottery. Many troughs of hollowed cotton-wood logs, raised on sticks. 3' ft. above ground. Houses are built in lower courses of basalt blocks laid in mud, upper of adobes; plastered within and without.

Have many abalone-shells and Navajo blankets. Many bows and arrows; some pistols and rifles, old style. Many corrals, of small size, covered with a thatching of corn-husks.

Old & new style carts. Saw a Rocky Mt<sup>n</sup> Sheep horns—shot in Mt's near the pueblo. Cross 12' ft high in one of the plazas. This pueblo of Cochiti is built in a hollow in a rambling, scattering kind of a way, divided into four distinct villages, each with its own plaza. I should say that it numbered not over 250 souls but the Governor assured me that he had 190 men, capable of working with a shovel.

This would include boys from 10 years old, up— Some of the houses are falling down and the pueblo has but little to say in its favor.

Driving to Peña Blanca, Pedro commented upon the man with the hideous, ulcer-eaten face and said that the old men often said that, in old times, those "ulcers" (llagas) were very common among the Pueblos and that they came from filth in the relations between the sexes.

Bought some nice pottery and a couple of handfuls of fresh eggs.

Distance to-day.

38 m.

*November 7th 1881 Monday.* Breakfast was announced at half past 4 and was consumed by 5. Pedro, our guide, had a fire blazing in our bed room when we returned. Drew up vouchers for the value of the hay & grain obtained here and paid Pedro for 6 day's work, being all the time he had remained with us and some extra pay to take him back to his own pueblo. (Last night, I purchased four old Arrow & spear heads of obsidian for a quarter.) This morning very



dark and cloudy but much warmer than any yet had on the trip. Started for Santa Fé. Reached there by 11 A. M. Received mail. Reported at H<sup>o</sup>Qrs. Took dinner with Captain Woodruff and family. Day very blustery and chilly. Snow blowing down from mountains.

Distance

28 miles

*(To be continued)*

## BOOK REVIEW

*Historical Documents relating to New Mexico, Nueva Viscaya, and Approaches thereto, to 1773.* Collected by Adolph F. A. Bandelier and Fanny R. Bandelier. English translations, edited with introduction and annotations by Charles Wilson Hackett, Ph.D., professor of Latin American history in the University of Texas, Volume III. (Published by Carnegie Institution of Washington, 1937. Index. 530 pp.)

"A collection of fundamentally important sources for the history of the Spanish frontier in New Mexico and adjacent provinces," to quote from the preface of Volume III of the "Bandelier Papers," is made available to students and writers who will find in this publication a mine of information regarding government, church and ways of life in Spanish colonial outposts during the seventeenth and eighteenth centuries. Those who have been privileged lately to scan the published and unpublished collections and writings of the late Adolph F. A. Bandelier brought together by, and at, the School of American Research have been impressed with the prodigious amount of research and work accomplished by him in Spanish archives on both American continents and in Europe. That this is deemed worth while is manifest from the fact that Dr. Charles Wilson Hackett, himself among the leading scholars in the field, twenty years ago began the editing, annotating and filling in the gaps in the Bandelier manuscripts, bringing the publication of the three monumental tomes to a successful conclusion in 1937.

Bandelier and his wife made their studies in this particular line under a grant from the Carnegie Institution between the years 1912 and 1915 and it was the late Dr. Franklin Jameson of the Institution who called upon Dr. Hackett to make the result of their research available to historians and students. Tribute is paid by Dr. Hackett to Professors G. P. Hammond, A. B. Thomas and Lansing B.

Bloom, France V. Scholes and the *NEW MEXICO HISTORICAL REVIEW* for "invaluable aid in the preparation of this (the third) volume." A scholarly introduction of forty pages is followed by a well-indexed English translation of documents relating primarily to New Mexico in the seventeenth and eighteenth centuries. The strange part is that these archives and expedientes are not dry-as-dust historical chronicles but pulse with life, and include reports of thrilling and romantic episodes, controversies, incidents, occurring or radiating from Santa Fe in greater part, and making vivid the colorful annals of two centuries of heroic struggle on the part of the Spanish invaders and the Catholic church to maintain themselves against odds that even in this day and age would seem insurmountable.

Space does not permit even a cursory review of the riches of this volume. However, its scope can be gathered, at least in part, from the three chronological divisions set up by Dr. Hackett in his introduction: 1. Church-State Relations in New Mexico, 1609-1659; 2. The Last Three Decades of the Seventeenth Century; 3. New Mexico in the Eighteenth Century; and the sub-divisions as follows: Questions in dispute regarding ecclesiastical jurisdictions and ecclesiastical privilege and immunity; New Mexico on the eve of the Pueblo Rebellion, 1670-1680; the rebellion and re-conquest of the Pueblos, 1680-1696; the Mendoza-López expedition from El Paso to the Jumano country, 1683-1684; constructive work of Governor Don Francisco Cuervo y Valdes, 1705-1706; status of the New Mexico missions 1696 to 1754; missionary efforts among the heathen tribes; efforts to reconvert the Moquis 1699-1760; and finally, "miscellaneous facts relating to New Mexico in the eighteenth century." It was a hard and strenuous life, often sanguinary and turbulent, which was led by colonists, ecclesiastics and Indians during those two centuries in the Spanish Southwest and the evidence of it is written lucidly in this volume.—P.A.F.W.



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# NEW MEXICO HISTORICAL REVIEW

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No. 3

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PALACE OF THE GOVERNORS

PUBLISHED QUARTERLY BY  
THE HISTORICAL SOCIETY OF NEW MEXICO  
AND  
THE UNIVERSITY OF NEW MEXICO

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# NEW MEXICO HISTORICAL REVIEW

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Address business communications to Mr. P. A. F. Walter, State Museum, Santa Fe, N. M.; manuscripts and editorial correspondence should be addressed to Mr. Bloom at the State University, Albuquerque, New Mexico.

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The Historical Society of New Mexico  
(INCORPORATED)

*Organized December 26, 1859*

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1861 — MAJ. JAMES L. DONALDSON, U. S. A.  
1863 — HON. KIRBY BENEDICT  
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*re-established Dec. 27, 1880*  
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# CONSTITUTION

OF THE

## HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 19, 1929)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have, by published work, contributed to the historical literature of New Mexico or the Southwest, may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

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Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico, Albuquerque, New Mexico.





# NEW MEXICO HISTORICAL REVIEW

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## OÑATE'S APPOINTMENT AS GOVERNOR OF NEW MEXICO

*Translated by* GEORGE P. HAMMOND

NEW MEXICO, explored for the first time by Francisco Vázquez de Coronado in 1540-42, was colonized by Juan de Oñate and his associates in 1598. During this interval there had been a vigorous contest for the coveted post of governor of the province, a contest that had consumed fifteen interminable years.

After Coronado's time New Mexico had been completely forgotten, but it was rediscovered by Captain Francisco Sánchez Chamuscado and Father Agustín Rodríguez in 1581-82. They brought back the report that the natives in the land were numerous and friendly and that the country was rich. The next year another expedition under Antonio de Espejo visited the Pueblo area, explored it more fully, and returned with even better reports and greater enthusiasm. Fired by these accounts, the leaders in Mexico prepared to send a large and well-equipped expedition to New Mexico to effect its conquest and conversion, for the king had authorized this action as soon as he received the reports of the Rodríguez party.

Numerous candidates sought the position of governor, captain general, and adelantado of New Mexico. Among early applicants were Hernán Gallegos, Cristóbal Martín, Antonio de Espejo, and Francisco Díaz de Vargas, but they did not gain favor with the royal authorities. Their petitions were examined by the Council of the Indies at a meeting at-

tended by the Viceroy of Villamanrique, but all were passed over and the viceroy was instructed to continue his search for a competent leader.

Juan Bautista de Lomas y Colmenares, famed as one of the wealthiest men in Nueva Galicia, in 1589, made an agreement with the viceroy for the conquest of New Mexico, but the Council of the Indies deemed his requests exorbitant.

On the failure of Lomas y Colmenares to win support, Francisco de Urdiñola, governor of Nueva Vizcaya and bitter enemy of Lomas, obtained a contract, but criminal charges were brought against him, and while he languished in prison, his opponent repeated his overtures to the viceroy, but without avail. In these circumstances the plum was awarded to Juan de Oñate, son of a wealthy miner of Nueva Galicia, and Viceroy Luis de Velasco made a contract with him on September 21, 1595. Exactly a month later his official appointment as governor and captain general of New Mexico was signed. In this document, as will be seen below, Oñate did not receive the title of "adelantado." By his contract he was entitled to this signal honor, provided he succeeded in conquering and settling New Mexico. In 1602 the title was bestowed on him, but by that time the riches of New Mexico had been fairly well exploded and the joy of victory dissipated.

Before Oñate's appointment, two illegal expeditions had set out for New Mexico. The first was led by Gaspar Castaño de Sosa, lieutenant governor of Nuevo León, who approached the pueblos in 1590 by way of the Pecos River. Since his expedition was without legal sanction, Juan Morlete was sent to New Mexico to arrest him and return him to Mexico. This unhappy venture was followed by another under Francisco de Leyva Bonilla and Gutiérrez de Humaña, who started from Nueva Vizcaya in 1593. It was this party that Oñate was to place under arrest. The bandit leaders quarrelled and fell out, however, and the Indians killed both men in the distant north.

This document appointing Oñate governor and captain general of New Mexico was found in the Archivo General de la Nación in Mexico City, Ramo de Civil, Tomo 1988, by J. Ignacio Rubio Mañé, an employee of the Carnegie Institution of Washington. The translation is presented for the benefit of the readers of the REVIEW who may not wish to struggle with the original Spanish.

Appointment of Don Juan de Oñate as governor and captain general of the provinces of New Mexico and its immediate environs. October, 1595. Martín López, notary.

Don Philip, etc.—Don Juan de Oñate, inhabitant of the city of Zacatecas, mindful of your quality and merits and of the twenty years that you have served me in the war against the Chichimec Indians of the new kingdom of Galicia and government of Nueva Vizcaya and in the pacification of these and other nations, following in the footsteps of Cristóbal de Oñate, your father, who served me in the said new kingdom, as my captain general, and trusting that you will serve me henceforth in whatever I may ask or command you to do as you have done until now.

Don Luis de Velasco, my viceroy, governor, and captain general of this New Spain and president of the royal audiencia there, has informed me that Captain Francisco de Leyva Bonilla, contrary to my orders and without the viceroy's permission, in company with other armed soldiers has entered the provinces of New Mexico with the intent and determination of conquering them, and that by whatever roads or settlements they passed they committed injuries and vexations to my subjects and vassals, taking by force their haciendas, cattle, Indian servants, and other things, taking them away without pay and with much insolence and rudeness. It seems to my viceroy that the said Francisco de Leyva and his followers should be brought back from their journey in order that they might be punished for their boldness and for the excesses they were committing and to prevent further inconveniences and damages which it might be presumed such unrestrained and bold men would perpe-



trate against the inhabitants of the said provinces. In order to provide the remedy which this offense deserves, you volunteered, upon receipt of your commission, that you would go personally in pursuit of the said Captain Leyva and the soldiers in his company and apprehend them and do everything that you may be commanded to do by my said viceroy. He, having approved your offer for the above undertaking, and seeing that this is a good occasion for you to proceed against these bandits since all can be done in one journey, you would remain with the people that you are to bring to these provinces and attempt to pacify them and convert the natives. He agreed to this. And because I am advised by reports that my said viceroy and some of his predecessors have sent me, and which have been examined in my royal Council of the Indies, that there are many great settlements of heathen Indians in the said provinces of New Mexico who live in ignorance of God, our Lord, and of His holy Catholic faith and that he would do Him a great service in teaching them the evangelical law and convert them to it so that they might enjoy an orderly and decent Christian life, and as I desire that this may be done effectively, I have issued an order to my said viceroy and to the Marquis of Villamanrique, his predecessor, in the form of cédulas and capitulations, which are of the following tenor:

The King, to the Marquis of Villamanrique, kinsman, my viceroy, governor, and captain general of New Spain, etc. At the time that you came to my court to serve me in this project there were examined in the conference at which you were present the available relations and papers relating to the discovery of New Mexico and the persons who sought to be charged with the pacification and settlement thereof. You were informed of the conditions there and what ought to be done. Afterward, having examined the matter more fully and consulted with my advisers, for it seemed best to act in this case with dispatch since delay might result in inconveniences, therefore, as you will see, this cédula seeks that the said discovery, pacification, and settlement of New

Mexico be undertaken and that you entrust it to some person who resides in that land and who possesses the merits and qualities which are required for it. You will look into this matter with due consideration, and, having informed yourself well of the persons who are most acceptable and who could do it best, you should advise the person to whom you entrust it of the great care with which he must hold the Indians and treat them well. And because my treasury is required here for the necessary needs that arise regularly you are advised that this discovery and pacification must be carried out without any expense to my royal treasury or any gift therefrom. You shall advise me of your actions in this matter. Done in Valencia, January 26, 1586. I the King. By order of his Majesty. Mateo Vásquez.

The King, to Don Luis de Velasco, Knight of the Order of Santiago, whom I have provided as my viceroy, governor, and captain general of New Spain. Both because of the needs of my service and at the request of special persons I have issued many cédulas and decrees directed to the viceroys who have preceded you; it is my wish that you fulfill and keep what is contained therein. I order that you observe, keep, and fulfill these cédulas as if they had been directed wholly to you, without any hindrances whatever. Done in San Lorenzo, July 19, 1589. I the King. By order of the King, our Lord. Juan de Ibarra.

In letters of January 17, 1593, and June 21, 1595, from Madrid to the viceroy, Don Luis de Velasco, there are two paragraphs of the following tenor:

I have seen what you have written me and the papers you have sent me regarding New Mexico, and inasmuch as Gaspar Castaño was already establishing settlements and was discovering many pueblos, as is evident by the report that you sent, it might be better not to take him away from there without ordering that he continue colonizing or that he who went after him should do it and assemble the people. You shall order that this journey and discovery be undertaken, making a contract therefor with a suitable person

and let him take particular care for the good treatment of the Indians under the regular conditions, in conformity with the contract and instruction which is being sent you. And be advised that the conditions that Juan Bautista de Lomas asks have been judged excessive. Whereas it is just that the excess and boldness of Gaspar Castaño and other guilty persons be punished, to this end I am sending authority to the audiencia. It was planned to carry out and commit the journey and pacification of New Mexico to Captain Francisco de Urdiñola, although you have had notice of certain crimes that have been charged and brought against him in the audiencia of Nueva Galicia, and you were aware of all this. If he should escape fortunately from these crimes and appear not to be guilty and should wish to continue the journey you would make a contract with him, not being able to find any one who could do it as well as he. Yet it has not seemed fitting to me that the said Urdiñola make the journey, but that you find another person to whom to entrust it. You shall do so and advise me of that which may be done, so that when you find a person of the qualities required in a matter of such importance make an agreement with him for the discovery and pacification of the said provinces and neighboring regions and let all be done according to the provisions and terms of the ordinances that I have provided for this purpose, and the person who may be entrusted with this commission shall give particular attention to the services of God, our Lord, and to mine and to the common good of the natives to their proper profit and interest.

Don Luis de Velasco, my viceroy, has made a contract with you, the said Don Juan de Oñate, for this project and you have accepted it on the conditions and stipulations which will be delivered to you, signed and attested by notary, so that in conformity with them and the said ordinances that deal with new discoveries and pacifications and other regulations I command that a copy of it be delivered to you for keeping and observing them. I approve and confirm these capitulations, as I have considered it well. Where-



fore, trusting that you, in Christian manner and with all fidelity, will make the said discovery and pacification in the form and manner that the said viceroy has agreed and contracted with you, I name you as my governor and captain general, chief, discoverer, and pacifier of the said provinces of New Mexico and its immediate environs so that, as such, in my royal name, you may enter them with the colonists and soldiers, baggage, belongings, munitions, and other necessary things that you would bring for this purpose, in all peace, friendship, and good treatment, which is what I particularly charge you. You should try to bring the natives of these provinces to you and to induce them to hear the word of the holy gospel, that they may receive and accept it, converting them to our holy Catholic faith, causing them to understand, by means of interpreters of their languages, if you are able to get them, so that in the various tongues they may be able to communicate and undertake their conversion, or as it may best suit the present occasion or when the priests find it convenient. You shall hold them in personal respect and reverence like ministers of the gospel so that the Indians may attend and revere them and listen to their sermons and instruction, for experience has shown that this is very important. You shall take care that the people who might go in your company shall proceed quietly and peacefully, without committing any excesses or setting a bad example or causing those you wish to draw to you to be angered or feel differently than is just.

You shall order everything for the best and principal end, as stated, for you see it is a matter of importance. You shall arrange all things regarding it wisely and harmoniously, always ordering everything for the glory of God and the increase of our holy Catholic faith. You shall prepare with prudence for the events that may arise, so that neither by carelessness, neglect, nor remissness the Indians lose their zeal and enthusiasm, keeping but not overstepping the instructions of my viceroy that shall be committed to you with this. I order the soldiers, colonists, and servants who

may go and remain with you that they shall consider you as their governor and captain general and keep and fulfill whatever you command them and respect your authority under the penalties that you may mete out to them. You shall be prepared to punish any rebels and proceed against those who overstep the bounds of authority, punishing them according to the usages of war, and do anything which may be appropriate in this regard and use the said charges and offices of governor and captain general, chief, discoverer, and pacifier of the said provinces and their immediate environs, conduct and enlist people and name and summon captains and other offices necessary for it and remove and re-appoint as may seem fitting to you. I give you the full power which may rightfully be required in such cases and order my governors, alcaldes mayors, corregidores, and other justices in whatever places they may be in order that for the above they give and do you the favor and aid that you might ask of them and that may be necessary, including carts, little carts, droves of animals, supplies, provisions, and other things which you may request of them in my royal name, under penalty of loss of their offices and a fine of 2,000 ducats for my royal chamber. From this moment I condemn those who violate these orders.

Given in Mexico, October 21, 1595. Don Luis de Velasco. I, Martín López de Gaona, chief notary of New Spain for the king, our lord, transcribed the above at the command of the viceroy in his name. Corrected. Juan Serrano (rubric).

By consent of the Count of Monterey, my lord, viceroy of New Spain, I ordered that duplicate copies be made of this my letter of petition for Don Juan de Oñate in the city of Mexico, April 6, 1596. The Count of Monterey. I, Martín de Pedrosa, deputy notary of the government of New Spain for the king, our lord. I, his viceroy, had it transcribed by his order and in his name.

Four other decrees of the same tenor as this document were sent. Corrected. Juan Serrano (rubric).

OÑATE'S APPOINTMENT AS GOVERNOR AND  
CAPTAIN-GENERAL OF NEW MEXICO

Titulo de Gobernador y Capitán General de las provincias de Nuevo México y sus comarcanas y circunvecinas en don Juan de Oñate.

Octubre de 1595.

Escribano Martín López.

Don Felipe, etc.—Don Juan de Oñate vecino de la ciudad de los Zacatecas teniendo atención y acatando la calidad y méritos de vuestra persona y a lo que veinte años a esta parte me habéis servido en la guerra de los indios chichimecos del Nuevo Reino de Galicia y gobernación de la Nueva Vizcaya y en la pacificación de ellos y de otras diferentes naciones, continuando lo que Cristóbal de Oñate, vuestro padre, me sirvió en el dicho Nuevo Reino, siendo mi Capitán General, y confiando de vos que de aqui adelante me serviréis en lo que por mí os fuere cometido y encargado como hasta aqui lo habéis hecho; habiendo tenido noticia don Luis de Velasco, mi Virrey y Gobernador y Capitán General de esta Nueva España, Presidente de la Real Audiencia que en ella reside, etc., que el Capitán Francisco de Leyva Bonilla contra mi orden y sin su permisión, en compañía de otros soldados había entrado con mano armada a las provincias del Nuevo México, y con ánimo y determinación de conquistarlas y que por los caminos y poblados por donde pasaba iban haciendo molestias y vejaciones a mis súbditos y vasallos, tomándoles por fuerza sus haciendas, ganados e indios de servicio y otras cosas, llevándoles sin paga con mucha insolencia y demacía, y pareciéndole al dicho mi Virrey que el dicho Francisco de Leyva y sus secuaces debían ser vueltos de la jornada, así para que fuesen castigados de su atrevimiento y de los excesos iban cometiendo, como para obviarles inconvenientes y daños que podría presumir que gente tan suelta y atrevida causaría y haría en las dichas provincias y naturales de ellas, y procurando de poner cerca de esto el remedio que el caso podía, os ofrecistes a que dándoseos comisión iríades personalmente en seguimiento del dicho Capitán Leyva y solda-



dos de su compañía y los prenderíades y haríades todo lo que por el dicho mi Virrey os fuese ordenado y mandado; el cual aceptando vuestro ofrecimiento para lo susodicho y visto que ésta era buena ocasión para que habiendo vos de ir contra los susodichos pues todo se podía hacer de un camino, os quedásedes con la gente que habíades de llevar en las dichas provincias y tratásedes de hacer la pacificación de ellas y conversión de los naturales, lo acordó así, y porque soy informado por relaciones que el dicho mi Virrey y algunos de sus antecesores me han enviado y se han visto en mi Real Consejo de las Indias, que en las dichas provincias del Nuevo México hay muchas y grandes poblaciones de indios infieles que viven sin conocimiento de Dios Nuestro Señor y de su santa fe católica, y que se le haría gran servicio en predicarles y enseñarles la ley evangélica y convertirlos a ella para que vivan cristianamente en orden y policía, deseando que esto se consiga y tenga efecto, he dado orden y comisión al dicho mi Virrey y al Marqués de Villamanrique, su antecesor, por cédulas y capitulaciones de cartas mías, que son las que se siguen:

El Rey. Marqués de Villamanrique, pariente, mi Virrey, Gobernador y Capitán General de la Nueva España, etc., al tiempo que os despachastes en mi corte para ir a servirme en ese cargo se vieron en vuestra presencia en la junta en que vos os hallastes las relaciones y papeles que había tocantes al descubrimiento de la Nuevo México y de las personas que pretendían se les encomendase la pacificación y población de ellas, y fuistes informado y enterado de lo que en ello había y parecía, que se debía hacer, y después habiéndose mirado más en ello y consultado con mi real persona, porque parece que conviene se acuda a este negocio con brevedad y que de haber dilación se podrán seguir inconvenientes, luego como vieredes esta cédula trataréis de que se haga el dicho descubrimiento, pacificación y población de la dicha Nuevo México y encomendarloéis a persona de los que en esa tierra residen que tengan las partes y calidades que para ello se requiere, mirando en esto con

mucha consideración y habiendo os primero informado bien de las personas que hay más a propósito y que mejor lo podrán hacer y a la persona a quien lo encomendáredes le habéis de advertir con mucho cuidado la cuenta que ha de tener con los indios y su buen tratamiento, y porque mi hacienda es acá necesaria para los casos y cosas forzosas que se ofrecen, estaréis advertido de que este descubrimiento y pacificación se ha de encomendar y hacer sin que para ello se ha de gastar ni dar cosa alguna de mi caja y hacienda real, y avisareisme de lo que en ello hiciéredes. Hecho en Valencia a veinte y seis de enero de mil quinientos ochenta y seis años. Yo el Rey. Por mandato de Su Majestad, Mateo Vázquez.

El Rey. Don Luis de Velasco, Caballero del Orden de Santiago, a quien he proveido por mi Virrey, Gobernador y Capitán General de la Nueva España, porque así sobre cosas de mi servicio como a pedimento de personas particulares he dado muchas cédulas y provisiones dirigidas a los virreyes vuestros antecesores, mi voluntad es que se cumpla y guarde lo en ella contenido, os mando que las veáis, guardéis y cumpláis como si a vos se os hubieran dirigido en todo y por todo, sin poner en ello impedimento. Fecho en San Lorenzo a diez y nueve de julio de mil quinientos ochenta y nueve años. Yo el Rey. Por mandato del Rey Nuestro Señor, Juan de Ibarra.

Y en carta de Madrid para el dicho mi Virrey don Luis de Velasco, de diez y siete de enero del año pasado de noventa y tres y de veinte y uno de junio de noventa y cinco, dos capítulos del tenor siguiente:

He visto lo que me habéis escrito y papeles que me habéis enviado en lo tocante al Nuevo México y como quiera que ya Gaspar Castaño estaba poblando y había descubierto tantos pueblos como se contienen en la relación que enviastéis se tuviera por mejor no sacarle de allí sin ordenar que se pasara adelante en la población o que el que fué tras él lo hiciera y recogiera la gente, daréis orden que se haga esta entrada y descubrimiento, capitulando sobre ello con persona

que convenga y que tenga particular cuenta con el buen tratamiento de los indios con las condiciones ordinarias, conforme a la capitulación e instrucción que se os envía y advertid que las condiciones que pide Juan Bautista de Lomas han parecido desaforadas y porque es justo se castigue el exceso y atrevimiento de Gaspar Castaño y demás culpados, envío para ello comisión a la Audiencia, teniendo para efectuar y encargar la jornada y pacificación de la Nuevo México al Capitán Francisco de Urdiñola, decir que tuvistéis noticia de ciertos delitos que se le acumulaban y seguían contra él en la Audiencia de la Nueva Galicia y así paraistes en ello y que si saliese bien de con esos delitos y no pareciese tener culpa y quisiere proseguir la jornada la acabaríades de asentar con él, por no hallar quien lo haga tan bien, lo cual no me ha parecido que conviene que dicho Urdiñola haga la jornada, sino que busqueis otra persona a quien encargarla, y así lo haréis y me avisaréis de lo que se hiciere para que hallando persona de las partes que en negocio de tanta importancia requiere, pueda asentar con el descubrimiento y pacificación de las dichas provincias y de las allá circun vecinas, para que se haga por los medios según y como se contiene en las ordenanzas que en esta razón tengo proveidas, teniendo más particular atención la persona que de ella se encargase al servicio de Dios Nuestro Señor y mío, y al bien común de los naturales que a su propio comodo e interese.

Y habiendo el dicho don Luis de Velasco, mi Virrey, tratado y capitulado con vos el dicho don Juan de Oñate sobre este negocio y vos aceptádole con las condiciones y capitulaciones que se os entregaran signadas y autorizadas de escribano para que en conformidad de ellas y de las dichas ordenanzas que hablan cerca de los nuevos descubrimientos y pacificaciones y otras la donde mando se os entregue para la guarda y observación de ellas, y aprobando y retificando como apruebo y ratifico las dichas capitulaciones, lo he tenido por bien, por tanto fiando de vuestra persona que cristianamente y con toda fidelidad haréis el dicho descubrimiento y



pacificación, y en la forma y manera que el dicho mi Virrey con vos lo tiene asentado y capitulado, os nombro por mi Gobernador y Capitán General, caudillo descubridor y pacificador de las dichas provincias del Nuevo México y de las otras sus comarcas y circunvecinas, para que como tal en mi real nombre entréis en ellas con la gente de paz y guerra, bagajes, pertrechos, municiones y demás cosas necesarias que lleváredes para el efecto, y con toda paz, amistad y buen trato, que es lo que particularmente os encargo, procuréis atraer y reducir a los naturales de ellas a que oigan la palabra del Santo Evangelio, y lo reciban y admitan, convirtiéndose a nuestra santa fe católica, dándoles a entender por medio de interpretes de sus lenguas, pudiéndolos haber a que de unas en otras lenguas se les pueda comunicar y tratar su conversión, o como mejor diere lugar la ocasión y caso presente, y los religiosos hallare ser conveniente, a los cuales haréis se les guarde el respeto y reverencia de vida como a ministros del Evangelio, para que con esto los atiendan y veneren los dichos indios y acudan a sus persuaciones y doctrina, porque la experiencia ha mostrado ser esto muy importante, y que toda la dicha gente que fuere en vuestra compañía proceda suave y blandamente, sin hacer exceso, ni dar mal ejemplo ni ocasión a los que se pretende atraer a que se irriten y sientan de ella diferentemente de lo que es justo, ordenándolo todo al fin y principal intento referido, como negocio de la importancia que veis, y disponiendo todas las cosas de él con buen consejo y acuerdo, y siempre ordenándolas en servicio de Dios y aumento de nuestra santa fe católica, previniendo con prudencia las cosas y acontecimientos que ocurrieren, sin que por descuido, omisión, ni remisión pierdan su sazón y acertamiento, guardando sin exceder las instrucciones del dicho mi Virrey, que con esta os será entregada, y mando a la gente de guerra y de paz y de servicio que con vos fuere y estuviere, que os haya y tenga por tal Gobernador y Capitán General, y guarde y cumpla lo que les mandáredes, y vuestras preminencias o las penas que les pusiéredes, que para las ejecutar en los

rebeldes y proceder contra los que excedieren, castigándoles a usanza de guerra y hacer todo lo demás que convenga en esta razón, y usar los dichos cargos y oficios de mi Gobernador y Capitán General, caudillo descubridor y pacificador de las dichas provincias y sus comarcanas y circunvecinas, conducir y levantar gente y nombrar y convocar capitanes y los demás oficios para ello necesarios y admoverlos y volverlos a nombrar como os parezca convenir, os doy poder cumplido cual de derecho en tal caso se requiere y mando a los mis gobernadores, alcaldes mayores, corregidores y otras mis justicias de cualquier parte y lugares donde fueredes y estuviéredes que para lo susodicho os den y hagan dar el favor y avuda que les pidiéredes y hubiere menester, y carros, carretas, recuas, bastimentos, socorros y demás cosas que a mi real nombre se les pidiere, so pena de privación de sus oficios y de dos mil ducados para mi real cámara, en que desde luego doy por condenados a los que excedieren.

Dada en México a veinte y un días del mes de octubre de mil y quinientos y noventa y cinco años. Don Luis de Velasco. Yo Martín López de Gaona. Escribano Major de Nueva España por el Rey Nuestro Señor, la hice escribir por su mandato, su visorrey en su nombre. Corregida, Juan Serrano (rúbrica).

Y con acuerdo del Conde de Monterrey, mi Señor, Virrey de la Nueva España, mandé dar por duplicada esta mi carta de pedimento de la parte de don Juan de Oñate en la ciudad de México, a seis días del mes de abril de mil quinientos noventa y seis años. El Conde de Monterrey. Yo Martín de Pedrosa, Teniente de Escribano Mayor de la Gobernación de la Nueva España por el Rey Nuestro Señor, la Hice escribir por su mandato, su visorrey en su nombre.

Despacháronse otras cuatro provisiones por el tenor de este registro. Corregida, Juan Serrano (rúbrica).

## THE BEGINNINGS OF AMERICAN HORSES <sup>1</sup>

THERE WERE no horses in America before the arrival of the Spaniards, and their horses, derived from the Moors, were the finest of Europe. Their short backs revealed their Arabian blood, while their legs, not too long, and firmly jointed, made them sure on their feet. Once in America they lost weight and beauty, but were compensated by increased stamina. Unbelievable feats of their endurance are recorded.

Brought to the West Indies at the close of the fifteenth century, the horse was acclimated rapidly, and within thirty years formed the chief supply for the mainland expeditions. The conquest over, they were raised extensively in pueblos, haciendas, and missions. Bayamo in Cuba and Tlaltizapán in Oaxaca became greate horse marts, while Gracias á Dios in Nueva Valladolid and Nextipaca in Nicaragua monopolized the mule market for the trans-Isthmian trade. By the middle of the sixteenth century there were outstanding horse breeders in Cuba, Jamaica, Nicaragua, Chiapas, and Oaxaca, who sold their products in two continents. The horse advanced with the Spaniard, step by step, until the close of the seventeenth century. The traditional theory that the wild mustangs sprang from the early expeditions of Coronado and De Soto is incorrect.

While Jamestown was being settled by the English on the Atlantic coast, Oñate was establishing Spanish ranches in New Mexico. By 1630 horses were plentiful around Santa Fe but the plains Indians still had none, and no records are found of mounted Indians for three more decades. By 1660 the Indians had learned the value of horses, which now began to disappear from the ranches around Santa Fe. During the next forty years the horse spread throughout the West with great rapidity. In 1719 Dutisne found the Pawnees

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1. The following article represents a summary of various papers read at the now famous "Round Table" seminar of Dr. Herbert E. Bolton of the University of California.



with 300 horses, some bearing Spanish brands. The Snakes had horses in 1730, and in less than a hundred years the Blackfeet in present-day Canada were riding horses.

Almost simultaneously Kino and his companions were pushing a second Spanish wedge into Arizona, establishing stock ranches in twenty places by 1700. Here also the horse multiplied and natives soon began to steal them. Portolá brought horses from Lower California, and Anza from Arizona, into Alta California, where they increased prodigiously. Exportation thence to Hawaii began in 1803 and reached extensive proportions by 1830. So numerous did they become that thousands of them were slaughtered, or driven off cliffs and into the ocean to drown.

Just as the Western horse came from Mexico so the foundation stock of the East was bred in Spanish Florida. By 1650 this district had seventy-nine missions, eight large towns and two royal haciendas whence horses spread to the Indians—not from remnants of De Soto's horses as has been commonly supposed. Indian revolts and English depredations at the close of the 1600's tended to spread the horse.

The English, Dutch, and French brought in few horses from Europe before the nineteenth century. When Captain Smith left Jamestown the colonists ate their mounts. Virginia received a few horses in 1613 from Argall's French venture, although most of these were returned to England. The Canadian Indians got their first glimpse of the "Moose of France," as they called the horse, when a shipload came in from Le Havre in 1665, and, except for the horse sent to Montmagny in 1647, these were the first horses in Canada. Their number increased, for the Jesuit relation of 1667 says there were many horses. The French thereafter did not import many more horses and used the canoe for inland transportation. Wood, Sandys, and Gookin, the first importers to Virginia, brought Irish horses about 1620, but they were still scarce in 1640. Horses and cattle were imported into Massachusetts in 1629, and 1638 the Swedes and Finns brought horses to Delaware. In the southern border

warfare at the close of the century the English obtained Spanish stock. Soon so many horses were running wild in the backwoods of the Southern Colonies that they were a menace to the crops. The Dutch obtained most of their original horses from Curacao, although two Dutch schooners brought in twenty-seven mares from Flanders on one trip in 1660. The Dutch herding policy, like the southern English colonies, allowed the stock complete freedom. They did not employ town herders for the village commons as did the New Englanders. The sugar mills of the West Indies soon exhausted the island horses and horses were exported from the English colonies as early as 1656 by Coddington, but not until the eighteenth century did this West Indian trade reach its peak. Some of the New Englanders seeing the possibilities of this "jockey-ship" trade began raising horses, Hull stocking Boston Neck for the trade in 1685. New England with its communal grazing and constant herding had enough stock for its use almost from the start, the price of horses dropping from an average of £34 in 1635 to around £2 in 1800. The drop in price was proportionate throughout the colonies. It was not only due to the increase in supply, but also to the inferior quality of most of the stock, which had degenerated because horses of small stature and bad points were allowed to run with the herds while the better horses were kept for saddle and coach. This explains why the rich men continually imported small numbers of good animals for personal use. Patrick Henry sent to the Pawnee country for the "best and most pure Spanish breed," as he calls the horses, many of which did indeed bear Spanish brands. Spanish blood continually filtered into the colonies from the West as well as from the South. Many came at an early date from Jamaica or down a pirate gangplank. Available data at present seems to indicate that the American horses came almost entirely from the Spanish stock of Mexico and Florida and at an earlier date from the islands of the West Indies. Until the nineteenth century only small numbers were imported.

## ANNOTATED BIBLIOGRAPHY

Because of the very nature of the subject, the materials covering the arrival and growth of the horse in North America are scattered throughout all our records of the white man's conquest of the New World. Any such commonplace essential as the horse usually only evoked a passing reference from the historian, although the success of the European in his various enterprises against the geographical and aboriginal obstacles that arose in the Western Hemisphere can be largely attributed to his horse. As an agent of colonial expansion and European dominance it was probably without peer.

The horse and horsemanship of the Spaniard upon his arrival in the New World were principally of Moorish origination, and to understand the method and manner of training, riding, and fighting employed by the conquistadores it is necessary to examine some European sources. Several Spanish, Italian, and Portuguese writers have devoted themselves to the noble equestrian art and so we have such priceless works as Don Bernardo de Vargas Machuca's *Libro de ejercicios de la gineta* (Madrid, Pedro Madrigal 1500) and Gonçalo Argote de Molina's *El libro de la montería* (Sevilla, 1582). Other works, such as Josep Delgado Hillo's *Tauromaquia ó arte de torear á caballo y á pie* (Madrid, Imp. de Vega, 1804) and Antonio Galvani d'Andrade's *Arte cavallaria de gineta e estradiota* (Lisbon, Joam da Costa, 1678) are unexcelled for the continental manner of horsemanship. Another item of bibliographical interest is Alonso Suárez' *Recopilación de los mas famosos autores griegos y latinos que trataron de la excelencia y generación de los cavallos* (Toledo, Miguel Ferrer, 1564).

As for references to actual transport to America, few are found. It is only by carefully scrutinizing such documentary sources as Martín Fernandez de Navarrette's *Colección de los viajes y descubrimientos. . .* (Madrid, 1825-37, 5 vols.) and Pacheco y Cárdenas' *Collección de docu-*



*mentos inéditos relativos al descubrimiento. . .* (Madrid, 1864-84, 42 vols.) that any references may be found.

The original historians of the conquest as a rule made few direct references to the horses, although they must be read to obtain the story. Francisco López de Gómara's *La historia general de las Indias. . .* (Antwerp, 1554) and Antonio de Herrera y Tordesillas' *Historia general. . .* (Madrid 1601-15, 8 vols. in 4) and the same author's *Descripción ed las Indias occidentales . . .* (Madrid, 1726) and Gonzalo Fernández de Oviedo y Valdés' *Crónica de las Indias* (Salamanca, Juan de Junta, 1570) and the same author's *Historia general y natural de las Indias . . .* (Madrid, 1851-55, 4 vols.) are all basic. Certain chronicles, however, prove the exception and do include many details concerning the horses. In such works as the Inca Garcilaso de la Vega's *La Florida del Inca* (Madrid, 1723) and the same author's *Primera parte de los comentarios reales* (Madrid, 1723), and Augustín de Zárate's *Historia del descubrimiento y conquista de la provincia del Perú* (in *Biblioteca de Autores Españoles*, Madrid, 1826) and Felix de Azara's *Apuntamientos para la historia natural de las cuadrupedos del Paraguay y Río de la Plata* (Madrid, 1802-5, 3 vols.) numerous references to horses abound.

By far the most outstanding work on the conquest, especially in the eyes of a horseman, is Bernal Díaz del Castillo's *Historia verdadera de la conquista de la Nueva España* (México, García, 1904, 2 vols.) ; Díaz, an unusual horseman in an age of horsemen, never missed an opportunity to tell of horses and with the possible exception of the letters of Cortés (best English version probably F. A. McNutt's *Letters of Cortés*, New York, 1908, 2 vols.) showed his love of horses and horsemanship more than any other writer of the period. Modern writers, with two notable exceptions, have not been very interested in the horses of the conquest. In Robert Bontine Cunninghame Graham's *Horses of the Conquest* (London, 1930) is the best single account, though Graham occasionally allows his narrative powers to stretch

the story a little beyond the known factors. Gustavo Barroso (pseud., Joaó de Norte) occupies a similar position in regard to Brazil, his books being a mine of customs, legends, horse and folk lore. The best is his *Terra de Sol* (Rio de Janeiro, 1912). An unpublished master's thesis at the University of California entitled *Spanish Horses in the New World, the first fifty years* (Berkeley, 1937) collects much of the available data, although some of the work is obviously but a rehash of Graham.

For the advance in the trans-Mississippi West such works as Charles Wilson Hackett's *Historical documents relating to New Mexico, Nueva Viscaya and approaches thereto*. . . (Washington, 1923-27, 3 vols.), and Alonzo de Benavides' *Memorial*. . . (Madrid, 1630 [reimpreso, México, 1899]) and Pierre Margry's *Mémoires et documents pour servir à l'histoire*. . . (Paris, 1879-88) are invaluable. Hubert Howe Bancroft's *Arizona and New Mexico* (San Francisco, 1888) furnishes a good secondary source and Herbert Eugene Bolton's *Rim of Christendom* (New York, 1936) and *Outpost of Empire* (New York, 1931) are excellent.

For the Atlantic coast Genaro García's *Dos antiguos relaciones de la Florida* (México, 1902), Herbert Eugene Bolton's *Spain's title to Georgia* (Berkeley, 1925), Justin Winsor's *Narrative and critical history of America* (New York, 1889, 8 vols.) and Reuben Gold Thwaites's *Jesuit relations and allied documents* (Cleveland, 1900, 72 vols.) are outstanding. To really discover material on the horse before the eighteenth century it is necessary in almost every case to get original narratives and correspondence and piece the story together from the many and varied locations where they are found. When this is done completely, an interesting and important link in the history of the colonization of America will be complete.

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THE FEDERAL INDIAN POLICY IN NEW MEXICO  
1858-1880, IV

By FRANK D. REEVE

CHAPTER IX

MESCALERO APACHE

The Southern Apache Indians in New Mexico were divided into two groups: The Gila, that lived west of the Rio Grande, and the Mescaleros that lived east of the river, in the White and Sacramento mountains. The Mescaleros, about 600 or 700 in number, suffered from internal dissension and had split into two bands; the more troublesome group, known by the name of the Agua Nuevo band, under chiefs Mateo and Verancia, lived in the vicinity of Dog Canyon, in the Sacramento mountains. The White mountain group under Cadette constituted the bulk of the tribe and busied themselves part of the time with farming operations at Alamogordo, about seventy miles southwest of Fort Stanton and west of the Sacramento mountains.<sup>1</sup>

The Mescaleros constituted the same problem as did the other Indian tribes, and Superintendent Collins proposed to adopt the same procedure in dealing with them; namely, removal from the settlements to a reservation where they would be out of contact with the white settlers. He had in mind, in the winter of 1858, a reservation on the Gila river where all the southern Apache could be united. His argument for concentration was strengthened when a skirmish occurred with the Dog Canyon group in February, 1859. In retaliation for a raid on San Elizario, Lieutenant H. M. Lazelle invaded the Indian stronghold and suffered a defeat, losing three men and having seven more wounded.<sup>2</sup>

1. Steck to Collins, 2/11/59, C1945/59. Steck to Major C. F. Ruff, 2/14/59, C1972/59. Steck to Greenwood 5/14/60, S202/60. Steck, *Annual Report*, 8/10/58, 35 Cong. 2 sess. Sen. Ex. Doc. 1, I, 547ff (974).

2. Collins to Denver, 2/22/59, C1945/59, and 1/24/59, C1902/59. Lazelle, *Report*, 2/18/59, 36 Cong. 1 sess. Sen. Ex. Doc. 2, II, 286ff (1024). Maj. Thos. H. Holmes to A. A. A. G., 2/11/59, C1972/59.



Until such time as the Mescaleros could be moved west of the Rio Grande, efforts were made to end their nomadic habits and start them on the road to a settled existence in their own territory. The need of additional help for Agent Steck in carrying out this policy led to the sending of Archuleta to Fort Stanton in the spring of 1860. He was instructed to start the Indians planting on the Peñasco, about thirty-five miles south of the fort, a site selected by Steck as the most suitable one. A contract was made with H. U. Beckwith to supply corn meal and beef to feed them. The corn meal was furnished rather than the whole corn in order to prevent the Indians from turning it into whiskey or *tizwin*. The agent was also instructed to get in contact with the Dog Canyon hostiles and influence them to join their brethren.<sup>3</sup>

The career of Archuleta was short lived at Stanton, as we have seen, and the work was carried on by Thomas Claiborn. In July he was distributing rations to 496 Indians; some new ones had come in "and their conduct evidently showed it was a venture with them as they were on the *qui vive* the whole time." However, "they are delighted with my kindness and *patience*, for it takes patience that Job knew not to bear with them. But knowing how important it is to hold this tribe in check & believing that they *are not fully known* to the Government as they ought to be, I have suffered wearisomely with them."<sup>4</sup>

The peaceful status of the Mescaleros was partially upset early in 1861, because a fight between the Gila bands and miners led to the hostiles seeking aid from their kinsmen. This situation was later aggravated by the outbreak of the Civil War, which resulted in the abandonment of Fort Stanton. Meanwhile, Lieutenant-Colonel Crittenden led an expedition against the Mescaleros in March, but the good results were only of a temporary nature. In view of the past efforts made to help them, the superintendent felt

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3. Collins to Archuleta, 3/20/60, C630/60.

4. Claiborn to Collins, 7/5/60, C631/60.

that they were an ungrateful lot and that "They should be humbled and made to fear the power of the Gov't. . . ."<sup>5</sup> This task was taken in hand by Carleton when he assumed command of the Department of New Mexico. The olive branch having been spurned, the sword was now to be offered.

Colonel Carson was sent in September, 1862, with one company of infantry, to reoccupy Fort Stanton, and four companies of cavalry to operate against the Indians. He was instructed that

All Indian men of that tribe are to be killed whenever and wherever you can find them. The women and children will not be harmed, but you will take them prisoners, and feed them at Fort Stanton until you receive other instructions about them. If the Indians send in a flag and desire to treat for peace, say to the bearer [they broke the peace during the Texan invasion] and you have been sent to punish them for their treachery and their crimes; that you have no power to make peace; . . . that if they beg for peace, their chiefs and twenty of their principle men must come to Santa Fe to have a talk here; but tell them fairly and frankly . . . that we believe if we kill some of their men in fair, open war, they will be apt to remember that it will be better for them to remain at peace than to be at war. I trust that this severity, in the long run, will be the most humane course that could be pursued toward these Indians."<sup>6</sup>

This vigorous policy produced results very quickly. Agent Labadi, who had been detailed by Collins to accompany Carson, brought Cadette and a small party of Mes-

5. Collins to Greenwood, 3/3/61, C991/61. Lobadi, *Annual Report*, 9/25/62, 37 Cong. 3 sess. Hse. Ex. Doc. 1, I, 391-93 (1156). Col. W. W. Loring to A. A. G., 5/19/61, R. R., Ser. I, vol. I, p. 604.

6. Carleton to Carson 10/12/62, J. S. C., 1867, p. 100. Carleton to Thomas, 9/30/62, R. R., Series I, vol. XV, p. 576.

Similar instructions were sent to Colonel Joseph R. West at Mesilla. From that place Captain McCleave was to operate in the Dog Canyon country. A third expedition under Captain Roberts operated from Fort Franklin, Texas. J. S. C., 1867, p. 99.

caleros to Santa Fé in November. Carleton informed them that they must abandon their country and go to the Bosque Redondo where Fort Sumner had been established. The post had been located there as a barrier to Mescalero raids up the Pecos valley, as a protection against Comanche and Kiowa raids into New Mexico, and to provide winter pasturage for cavalry horses. The Indians accepted the ultimatum and Carleton was led to hope that "The result of this will be, that, eventually, we shall have the whole tribe at Bosque Redondo, and then we can conclude a definite treaty with them, and let them *all* return again to inhabit their proper country." This hope was translated into instructions to Carson to send all captives to that place.<sup>7</sup>

But by the spring of 1863, Carleton had changed his mind about the location for the Mescaleros. To return them to their former home did not fit in well with his broader plan of opening the mineral and farming resources of the Territory to the white man. Consequently, it was decided to keep these Apache permanently at the Bosque Redondo.<sup>8</sup> The same advantage was foreseen as in the case of the Navaho; the Mescaleros would have no convenient mountains for seeking refuge in if they managed to escape, and they could be made self-supporting there.

The program started out auspiciously. Captain Joseph Updegraff, in command at Fort Sumner, was instructed to protect the captives against the plains Indians and to treat them kindly. In the spring of 1863, Bishop Lamy agreed to provide a priest for the reservation to teach the gospel and open a school; in keeping with this understanding the secretary of war made Fort Sumner a chaplain post.<sup>9</sup> Scouting parties were kept in the field to force all the

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7. Carleton to Carson, 11/25/62, J. S. C., 1867, p. 101; Carleton to Thomas, 11/9/62, J. S. C., 1867, p. 101. *Santa Fe Weekly Gazette*, 11/29/62, in K186/62.

8. Carleton to Halleck, 5/10/63, R. R., Ser. I, vol. XV, p. 723. Carleton to Thomas, 3/19/63, S. J. C., 1867, p. 106.

9. Carleton to Updegraff, 11/26/62, A. G. O., LS 13, p. 195. Carleton to Thomas, 3/19/63 and 4/12/63, S. J. C., 1867, p. 106, 108. Carleton to Bishop Lamy, 6/12/63. *Ibid.*, p. 112.

Bishop Lamy recommended Joseph Fialon, expected back from France in August, for the position. *Ibid.*, p. 117.



Mescaleros onto the reservation and settlers began to return to the farming lands in the Fort Stanton area. Finally, when the Indians appeared reconciled to their new home, Collins assumed formal responsibility for their management in March and placed Labadi in charge.<sup>10</sup>

The ideal of making the Indians self-supporting could not be realized immediately, but some progress was made. Under the guidance of the agent they planted 200 acres the first season and realized a profit of \$458 from the sale of fodder to the post, which pleased them very much. But this happy trend was marred by certain unfortunate episodes. In the first place, "A large proportion of the flour sent them, was adulterated with ground plaster, scraps of bread, and sweepings generally. Much of this was also sour."<sup>11</sup> A few of them sickened on such a diet, but even if they could survive, such a ration was a bit uncertain. The military passed the responsibility for feeding the Indians to the civil officials on May 31. At the end of October funds ran low and Steck requested Carleton to permit the Indians to return to the mountains to supplement their larder from the hunt, on their promise to return in the spring and plant again.<sup>12</sup>

The plan advanced by Steck received scant consideration from Carleton: "I fear that, from some mistaken philanthropy, the experiment of having these Indians domesticated will be sadly interfered with." The superintendent could manage the Indians as he saw fit on the reservation, Carleton agreed, but they "shall not leave" the Bosque Redondo!<sup>13</sup> The problem of food was solved by the military again issuing rations.

The second year on the reservation brought greater prosperity, but also a new problem. The farming netted

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10. Carleton to commander Fort Stanton, 4/10/63, S. J. C., 1867, p. 107. Carleton to Thomas, 3/19/63, *Ibid.*, p. 106. Collins to Dole 4/17/64, C791-64.

11. Updegraff to Carleton, 6/14/63, A. G. O., LR 1865. Labadi to Capt. Ben C. Cutler, 6/18/63, L165/63.

12. Carleton to Collins, 5/24/63, A. G. O., LS 13, p. 499. Steck to Updegraff, 10/29/63, S236/64.

13. Carleton to Thomas, 11/15/63, S. J. C., 1867, p. 143.

them \$4,000 aside from the corn crop, which was destroyed by pests and their new neighbors, the Navaho. These late-comers caused the failure of the Mescaleros to become established permanently in their new home. Their corn was purloined by the Navaho on the reservation and they were raided twice by members of the same tribe still at large. Intertribal battles also occurred and the Apache gradually thought it was prudent to live elsewhere. As early as April, 1864, Ojo Blanco left temporarily, taking forty-two companions with him; fifty-three deserted in August, and on November 3, 1865, the balance of the 425 that had been rounded up, including a few Gila, fled to their old haunts, except for a handful.<sup>14</sup>

John L. Watts recommended in June, 1866, that the Mescaleros be located on a reservation south of Fort Stanton. This proposal was not acceptable to the secretary of the interior, until congress should sanction the abandonment of the Bosque Redondo. But, due to lack of funds to finance the task of again taking the Indians in hand, the Apache were free agents for the next three years, roaming their old territory into Texas and occasionally committing some depredation.<sup>15</sup>

When the control of the Indians in New Mexico was transferred to the army in 1869, Lieutenant A. G. Hennisee was assigned to the Mescalero agency in July. He revived the reservation plan and recommended that they be located near Fort Stanton, but the proposal could not be carried out immediately because of lack of funds;<sup>16</sup> nor was the lieutenant to be in charge when the move was finally completed because the brief tenure of military control ended in 1870. Robert S. Clark was appointed to the Mescaleros in November, but never took charge; he was succeeded in March,

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14. Labadi to Steck, 5/18/64, S372/64. Labadi, *Annual Report*, 38 Cong. 2 Sess. Hse. Ex. Doc. 1, V, 347-48 (1246). Labadi to Dole, 5/1/64, L 405/64.

15. Watts to Harlan, 6/6/66, W320/66. Norton to Cooley, 7/6/66, N54/66. Cooley to Norton, 8/18/66, LB 81, p. 204. Lieut. A. G. Hennisee to Gallegos, 7/31/69, C383/69.

16. Hennisee to Gallegos, 7/31/69, C383/69. Parker to Clinton, 8/7/69, LB 91, p. 296. Hennisee to Clinton, 10/6/69, C583/69.

1871, by A. J. Curtis, a protege of the American Unitarian Association.

Hennisee, meanwhile, had started negotiations with his prospective wards in December, 1870, to induce them to once more take up a settled existence. The Indians were open to persuasion and by February a few were collected at Fort Stanton under José La Paz, a minor chief. He was soon sent out to induce the rest of his kinsmen to come in and returned with encouraging news. Another party was dispatched for the same purpose early in the summer. As a result of these efforts the larger part of the Mescaleros under Cadette had collected around Fort Stanton by July. "The old chief in his native eloquence called on heaven and earth to witness that they would live at peace; not at peace to be broken, but a long peace."<sup>17</sup>

But Cadette was not destined to live long enough to see his statement realized in practice, nor to be a party to the future vicissitudes of his people, which were to be due to the uncertainty of the reservation's boundaries, the scarcity of food, the fraudulent machinations of L. G. Murphy and Co. in coöperation with some of the agents, and the disorders growing out of the Lincoln County war. He was mysteriously murdered in La Luz canyon while returning to Fort Stanton from Mesilla in November, 1872.<sup>18</sup>

With Indians actually on hand, the first attempt at defining the boundary of the reservation was made by Superintendent Dudley in the winter of 1872. In keeping with his recommendation, the reservation was set aside by Executive Order of May 29, 1873, as follows:

Commencing at the southwest corner of the Fort Stanton reduced military reservation, and running thence due south to a point on the hills near the north bank of the Rio Ruidoso; thence

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17. Jackson to Editors, 7/20/71, in *The Daily New Mexican*, 7/25/71. Lieut.-Col. August V. Kautz to A. G., 4/13/71, A266/71. Kautz to Pope, 2/9/71, P124/71. Curtis to Pope, 8/10/71, P463 1/2/71.

18. Curtis to Pope, 11/14/72, P236/72. *The Daily New Mexican*, 11/25/72, 12/18/72, 12/24/72.



along said hills to a point above the settlements; thence across said river to a point on the opposite hills, and thence to the same line upon which we start from Fort Stanton; and thence due south to the thirty-third degree north latitude; thence to the top of the Sacramento Mountains, and along the top of said mountains to the top of the White Mountains; thence along the top of said mountains to the headwaters of the Rio Nogal, to a point opposite the starting point, and thence to the starting point.”<sup>19</sup>

This area lay along the eastern slopes of the White and Sacramento mountains; and it was not an entirely satisfactory location. The starting of the boundary at the southwest corner of the military reservation largely excluded the Indians from the arable land lying along the small streams flowing eastward into the Pecos river. Furthermore, they were too far removed from the agency and they were reluctant about living in the mountains during the cold season, although they desired that region for hunting.<sup>20</sup>

In order partly to correct these deficiencies a second reservation was laid out as follows:

Beginning at the most northerly point of the Fort Stanton reduced military reservation; thence due west to the summit of the Sierra Blanca Mountains; thence due south to the thirty-third degree north latitude; thence due east to a point due south of the most easterly point of the said Fort Stanton reduced military reservation; thence due north to the southern boundary of township 11; thence due west to the southwest corner of township 11, in range 13; thence due north to the second correction line south; thence due east along said line to a point opposite the line running north from the thirty-third degree north latitude; thence due north to the most easterly point of said Fort Stanton reduced military reservation; thence along the northeastern boundary of said military reservation to the place of beginning.<sup>21</sup>

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19. Kappler, I, 871, *The Daily New Mexican*, 1/17/73.

20. S. B. Bushnell, Answers to Medical Circular, 7/29/73, B689/73.

21. Kappler, I, 871, Exec. Order, 2/2/74.

The new boundaries included more arable land east of the mountains and more hunting ground on the western slope of the Sacramento mountains.

But yet the boundary was not entirely satisfactory. The use of metes and bounds partly in defining the line was not satisfactory because of the broken nature of the country. So to avoid indefiniteness, and to include certain grasslands in the White mountains, the boundary was defined for the third time:

Beginning at the most northerly point of the Fort Stanton reduced military reservation; running thence due west to a point due north of the northeast corner of township 14 south, range 10 east; thence due south along the eastern boundary of said township to the thirty-third degree north latitude; thence due east on said parallel to a point due south of the most easterly point of the said Fort Stanton reduced military reservation; thence due north to the southern boundary of township 11; thence due west to the southwest corner of township 11, in range 13; thence due north to the second correction line south; thence due east along said line to a point opposite the line running north from the thirty-third degree north latitude; thence due north to the most easterly point of said Fort Stanton reduced military reservation; thence along the northeastern boundary of said military reservation to the place of beginning."<sup>22</sup>

Needless to say, these attempts to provide a definite boundary to include proper lands for the use of a settled people had no immediate influence in keeping the Indians within those lines. They continued to wander over their traditional territory, sometimes by permission of the agents, at other times as it suited their needs and convenience. This habit would have aroused little comment if the Mescaleros had behaved themselves, but at times they re-

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22. Kappler, I, 872, Exec. Order, 10/20/75. Smith to McNulta, 7/14/75, LB 126, p. 33. Smith to secretary of interior, 9/29/75, RB 27, p. 2. Smith to Crothers, 9/28/75, LB 126, p. 352.

sorted to the usual Apache custom of purloining stock. For two years after the return of part of this tribe to the reservation under the leadership of Cadette, there was no trouble, but in the spring of 1873 the depredations became sufficiently noticeable to call for military action.

Major Price started operations from Fort Stanton in September, 1873. He was handicapped by lack of knowledge of the country, but in the course of the fall months the region was mapped, the traffic in stolen stock, in which both Indians and whites were concerned, was broken up, and a few of the Indians, feeling the pressure of the military, returned to the reservation. This aggressive action restored a measure of tranquillity, but the military believed, and rightfully so, that "so long as they are permitted to entertain the notion that they are *entirely safe on their reservations, no matter what they may do away from them*, it will be impossible for the military force to prevent marauding and give protection to the scattered settlements."<sup>23</sup>

Along with the problem of keeping the Indians on the reservation was the corollary of proper management, and this was badly marred by the spoils system. L. G. Murphy and Co. were the business dictators of the Fort Stanton region. They owned the only store and were the actual Indian agent despite the presence of Curtis. In addition, they held the position of post trader for the military. Rations were issued to the Indians without orderly or systematic procedure, and the number was grossly exaggerated, whereby the government was defrauded. Contracts for supplies were let under their influence and of course to their benefit.

When Samuel B. Bushnell took over the agency from Curtis, on April 2, 1873, vigorous steps were taken to break the hold of L. G. Murphy and Co. on Indian affairs. They had earlier been removed as post trader, but were influential enough to prevent a successor and consequently con-

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23. J. Irvin Gregg's endorsement on Price's Report, 2/28/74, W498/74. Bushnell to Price, 2/7/74, W403/74. *The Daily New Mexican*, 8/14/72.



tinued to enjoy the benefits from trade with the soldiers whom they charged exorbitant prices. But that was a side issue with Bushnell; his main interest was in securing separate quarters for his own business and becoming the agent in fact as well as in law. In carrying out this program, he naturally encountered opposition; he accused Murphy of saying, "It don't make any difference who the Government sends here as Agent. We control these Indians."<sup>24</sup>

Economy was immediately effected in the number of rations issued. About 400 Indians were receiving bounty in 1871; by the end of the Curtis regime the number on paper had risen to 2679, "a rapidity of increase," the new agent remarked, "which leaves rabbits rats & mice in the shade." Next, in order to secure a greater degree of independence for Bushnell, the Murphy building was purchased by the government in May at a cost of \$8,000 for agency quarters. The price was doubtless exorbitant in view of the cheapness of adobe construction in New Mexico, but it was a move in the right direction. Murphy transferred his business to the nearby town of Lincoln in September. As a result of these measures the new agent was led to state that "all are now of the opinion that I have broken the backbone of the Indian ring in New Mexico, and the most formidable anti-administration party in the Territory."<sup>25</sup>

But Bushnell was unduly optimistic about his success. The so-called Indian ring in New Mexico had not been broken and his tenure of office closed toward the end of the year; "though an honest and well meaning man, [he] was deficient in firmness and decision of character, and hence could not with any considerable degree of success, meet the responsibilities of his position."<sup>26</sup>

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24. Bushnell to Dudley, 5/1/73, D78/73.

25. *Ibid.*, and 6/4/73, B428/73.

26. Smith to Delano, 2/16/74, RB 24, p. 107.

For the period of Curtis' and Bushnell's agency see also *The Daily New Mexican*, 10/8/72; RB 23, p. 489; LB 102, p. 411; LB 107, p. 320; LB 111, p. 156; LB 114, p. 108; B1134/73, C281/73, D78/73, D107/73, D110/73, D162/73, D1564/73, D561/73, D708/73, W641/74, W1064/73, W1323/73, T72/73, I866/73.

His successor, W. D. Crothers, fared little better in managing the Mescaleros, but he also tried to improve conditions. The location of the agency on the Fort Stanton military reservation, although in separate quarters purchased from Murphy, did not allow the new agent the freedom that he thought necessary for his task. Furthermore, a post trader, Captain Paul Dowlin, had finally been appointed and had rented part of the building from Bushnell. He had the right to sell liquor, a chronic source of difficulty in the management of Indians. Under these circumstances, being unable to oust Dowlin and end the sale of whiskey to his charges, the agent moved his quarters off the military reservation to Copeland's Ranch, eight miles away.<sup>27</sup> In the course of time it was again removed farther away to South Fork, about forty miles from Fort Stanton.

Other problems for Crothers to cope with lay in the frontier spirit of retaliation against Indians in general for the depredations of the few, and the inherent lawlessness that seemed to characterize some white men. In the fall of 1874, armed bands raided the Mescaleros on the reservation and caused part of them eventually to flee to the mountains. The military followed in an effort to bring them back, but they only stampeded again. Another raid occurred in January, 1875, the participants "claiming to have got away with three scalps and about seventy-five horses." The remaining Indians retaliated, which in turn brought reprisals until only about fifteen or twenty were left on the reservation.<sup>28</sup>

The agent had little confidence in the use of soldiers to secure the return of the run-a-ways and proceeded to make contact with them by special messengers. In the course of

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27. Crothers to Smith, 8/1/74, C627/74. Crothers to post adjutant, 7/18/74, C595/74. Godfrey to Smith, 10/27/76, G351/76.

Crothers cited a military order of 1870 forbidding the entry of Indians on a military reservation as a reason for moving, but it is reasonable to believe that the order had not been operative at Fort Stanton. There was also some friction with the War Department over the use of the building on the Stanton reservation as agency headquarters. See C92/75, W211/75, C247/75.

28. Crothers to Smith, 1/8/75, C141/75. C. I. A., *Annual Report*, 1875, p. 329.

the spring and summer of 1875, most of them had been induced to return. Meanwhile, in order to provide better protection for his charges, Crowthers secured some arms and ammunition to arm his employees and a few citizens nearby who were interested in preserving order on the reservation. And again hopeful of promoting their progress toward civilization, the sporadic farming operations of the past were resumed.<sup>29</sup>

In the midst of these disturbances, his position had been made more difficult by the usual machinations of outside parties. Murphy, the "champion of Democracy," apparently was not able to influence Crothers to his own advantage. The agent was, consequently, accused of using government supplies in providing hotel accommodations for travelers, and of reporting the issuance of 400 rations when only 227 Indians were present to receive them. He was indicted October 1, 1874, on a trumped-up charge of operating a hotel without a license. Crothers plead not guilty and the case was finally dropped by the district attorney who was skeptical of the validity of the affair. However, the secretary of war charged him with dereliction of duty in the matter of the killing of Indians on the reservation by raiders. This accusation led to the appointment of a special investigator by the office of Indian affairs. On the whole, the evidence favored the agent, but he finally resigned his position in the spring of 1876.<sup>30</sup>

Fred C. Godfroy assumed charge of the agency July 1, 1876, and was soon contending with the forces of lawlessness, shortly to be enhanced by the outbreak of the Lincoln County War. Sporadic charges of depredations by the Mescaleros during his two years in office continued to be made,

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29. B. I. C., *Annual Report*, 1875, p. 97. C135/76, C248/75, C138/76.

30. Crothers to Smith, 3/3/75, C345/75. Smith to secretary of interior, 3/10/75. I284/75. Office of Indian Affairs, Special Case 108. New Mexico, Lincoln County, *Criminal Docket*, case 99, vol. A, p. 34, 48.

"In New Mexico, the military at Fort Stanton were called upon to protect the Mescalero Apaches, but were not able to prevent their massacre by whites on their own reservation, and within sight of the flag-staff of the military post." C. I. A., *Annual Report*, 1875, p. 34.



though some were of doubtful truth.<sup>31</sup> However, one disturbing incident was left by Crothers for immediate handling. The Mescaleros left the reservation in June, 1876, apparently on a spree as a result of too much consumption of whiskey. The military took up the pursuit immediately and about half the band promptly returned. Peaceful measures were adopted to bring back the remainder, Godfroy employing J. A. Jucero at a price of \$1.50 per man and \$1.00 per woman and child to round them up. This was a profitable undertaking, since he secured the return of 147. A love feast was then held in December and for the time being affairs quieted down.<sup>32</sup>

The outbreak of the Lincoln County war in the spring of 1877 caused a greater degree of disorder to develop and the Mescaleros were of course regarded as fair game. A party invaded the reservation in August, 1877, and ran off some agency stock, the military failing to catch them, they reported, because rain obliterated the trail. For better protection and because of the delay necessary in informing the army post of marauders, Godfroy secured arms from the war department for the employees and some of the Indians.<sup>33</sup> But a year later the agency clerk, Bernstein, was killed by Billy the Kid when he attempted to prevent the outlaws from repeating their exploit of stealing stock.<sup>34</sup>

In the midst of these difficulties, Godfroy was striving to promote the welfare of his charges. They were sadly lacking in clothing, and of course insufficient rations was an

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31. "The reports of Indian depredations I believe are much exaggerated, and in my opinion ranchers even are much to blame for these reports by harboring disreputable characters on their premises, who are in my opinion much worse than the Indians." Captain Henry Carroll to post adjutant, 9/22/76, W1180/76.

Sheridan to Townsend, 4/30/78, W1/79. Lieut. Col. Dudley to A. A. A. G., 5/24/78, W1082/78. Capt. L. H. Carpenter to post adjutant, Fort Davis, 7/24/78, W1549/78.

32. Captain George A. Purington to A. A. A. G., 6/19/76, and Hatch to A. A. G., 6/29/76, W796/76. Godfroy to Smith, 7/22/76, G185/76; 8/10/76, G227/76; 11/10/76, G375/76; 11/24/76, G386/76; 12/23/76, G35/77.

33. Godfroy to Smith, 8/12/77, M676/77; 9/18/77, M735/77. Secretary of war to secretary of interior, 10/8/77, W938/77. See also M761/77, W300/78.

34. A detailed account of the Lincoln County War can be found in Pat F. Garrett's, *Billy the Kid*, supplemented by George W. Coe, *Frontier Fighter*.

intermittent state of affairs. After one woman had perished from the cold, and possibly several others, he purchased 200 blankets and 2,000 yards of muslin without specific authorization from Washington, although a long delayed order had finally been placed in New York for supplies. His action was advisable in view of the fact that suffering was bound to make the Mescaleros more restless than usual and the use of force to keep them on the reservation was hardly possible since the military had need of their resources in dealing with the Gila bands. The liquor traffic was again attacked by establishing troops at Tularosa in September 1878, to prevent the Indians from making their purchases there and at La Luz, a small village lying between the reservation and Tularosa.<sup>35</sup> And to cap his efforts, a school was established for Indians January 1, 1878.<sup>36</sup> But, despite all his work during these two years, conditions were never satisfactory; the planting activities suffered and again in 1878 some of the Indians scattered into the mountains, seeking both security and means of subsistence.<sup>37</sup>

Godfroy possessed certain qualities that made a good agent, but he succumbed to the temptation that lay in the path of any member of the Indian service, the opportunity to profit more than the salary of his position provided; consequently, his career with the Mescaleros came to an abrupt ending. One critic wrote that Godfroy was known as the "Presbyterian fraud," and that "The fraud, corruption and dishonesty of the agent can be established by cumulative evidence in the shape of affidavits." Dr. Lowrie hoped for vindication of this latest appointee under the Peace Policy of President Grant because "Both his predecessors, nominated by our Board, were bitterly assailed—and so far as we could learn without any warrant."<sup>38</sup>

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35. Godfroy to Hayt, 4/22/78, G244/78; 7/27/78, G379/78; 10/2/78, G457/78. And see W2028/78.

36. Godfroy, *Report*, 9/1/77, 45 Cong. 2 sess. Hse. Ex. Doc. 1, VIII, 550-54 (1800).

37. Godfroy to Smith, 8/21/76, G244/76; 9/14/76, G263/76; 12/8/77, M931/77; 8/22/78, 45 Cong. 3 sess. Hse. Ex. Doc. 1, IX, 603. Hayt to Godfroy, 3/19/78, LB 145, p. 497. See also I370/78.

38. A. M. McSween to Lowrie, 2/25/78, and Lowrie to Hayt, 3/15/78, L147/79.

His hopes were fruitless. The agent had not actively participated in the Lincoln County War, but he was favorable to Murphy and J. J. Dolan, the leaders of one faction, the second of whom had had the beef and flour contract for the agency for two years. It is hard to arrive at the truth of the conflicting evidence advanced for and against Godfroy by the parties to such a violent frontier quarrel, but doubtless the agent had committed breaches of the law, a too common practice in his line of work. Inspector Angel was "strongly impressed to the belief that Godfroy" had cheated the government by turning in a fraudulent number of Indians, but in view of his otherwise able management of affairs recommended that he be permitted to resign; in the event of refusal he should be dismissed. He was also accused of lending supplies to L. G. Murphy and Co., and later to J. J. Dolan and Co., successors, although without profit to himself. Consequently, he was discharged; his most earnest plea that "I be reinstated" was without avail.<sup>39</sup>

John A. Broadhead was appointed successor to Godfroy but never took charge. Upon his arrival in Santa Fé, somebody plied him with exaggerated stories about current conditions in Lincoln County, according to Governor Wallace, which so demoralized him that "he went all to pieces" and left for the East. It is only fair to add that the state of his health may have had something to do with his reluctance to venture into such a lawless country. At any rate, "A thorough man" was needed and S. A. Russell, late of the Abiquiú agency, was believed to be capable of filling the position.<sup>40</sup>

The new appointee requested that only a small bond (\$10,000) be required because the responsibility of the agency was small and "confidence has been so betrayed and destroyed within the last two years as to make it an ex-

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39. A. M. McSween to Schurz, 2/11/78, M319/79.

Robt. A. Widenmann to Schurz, 3/11/78, W384/79. Anonymous to Carl Schurz, 10/27/77, I772/77. Frank Warner Angel, *Report*, 10/2/78, A713/78. Godfroy to Hayt, 11/21/78, G6/79. Hayt to secretary of interior, 12/28/78, RB 33, p. 108.

40. Lew Wallace to Schurz, 11/10/78, N278/78.



tremely delicate matter to ask a friend to *endorse you.*" He relieved Godfroy in April, 1879, and found himself in the midst of the War. Cattle stealing had become a fine art, although it was not a recent practice, but Russell disapproved of Governor Wallace's plan of bills of sale from the vendor of cattle twice removed and certified brands as a means of checking the evil. He favored rather the declaration of martial law. "Is it not a fine country," he asked, "in which to *civilize* the Indians? Would anything but the *Munificent* Salary induce a man to undertake it? And yet I do have hope of the gradual improvement of these Indians."<sup>41</sup>

He did not remain long enough to realize his hope, the times were too turbulent even for him. Victorio was a disquieting influence on his charges and the military policy finally adopted toward them was not to his liking. He was reluctant at first to receive any of the Warm Springs Indians, but finally extended an offer of asylum to Victorio in the summer of 1878, an act, he admitted later, that was a mistake insofar as the management of the Mescaleros was concerned. When the Gila leader departed, a few of the Mescaleros left with him; others were depredating in Texas, and so severely were their activities felt east of the Pecos that the withdrawal of troops from Fort Stanton was dismissed as impossible because it would be an open invitation for a Texan punitive expedition to wipe them out.<sup>42</sup> As for those that followed the Warm Springs leader, it was planned to dismount and disarm them upon their return, and, if necessary, to imprison them in the guard house or subject them to the beneficial effects of honest labor. The military, at least, had almost lost hope for these unfortunate savages: "a miserable, brutal, race, cruel, deceitful, and

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41. Russell to commissioner, 12/6/78, R846/78; 3/17/79, R212/79; and 6/18/79, R438/79. Wallace to Schurz, 4/25/79, N108/79.

42. See Sherman's endorsement on Wm. Steele to A. G. (Austin, Texas), Report, 12/20/78, W219/79. Russell to Editor, 8/16/79, in *Thirty-Four*, 8/27/79.

wholly irreclaimable." Pope thought, "Vigorous and conclusive action" was necessary.<sup>43</sup>

An "conclusive action" was soon resorted to. When the troops were relieved of the Victorio pursuit by his move into Mexico, Hatch requested that all Indians with stock be assembled at the agency. He arrived with about 1,000 soldiers and, apparently without consulting Russell in advance, proceeded to disarm and dismount them on April 16, 1880. A few escaped and ten others were killed in the attempt to do the same. As a result of this move, about three hundred were confined as prisoners of war until September, when they were allowed freedom of movement within a radius of eight miles of the agency. The remnants of the band gradually came in due to military pressure and promises made in November that they would be protected on the reservation, arms would be available for hunting, and two mares and some other stock would be granted to each family. The individual who objected too strenuously to this policy was slated for confinement in Leavenworth prison. Thus, after years of intermittent hostilities, the Mescaleros had been deprived of their resources for living off the reservation, horses and arms.<sup>44</sup>

The disarming of the Indians was accompanied with a certain amount of harshness and suffering and the agent was blamed by some of his charges for their plight. In consideration of that state of affairs Russell "thot it prudent to resign." He may have been over-prudent, but at least one agent had departed without the accusation of fraud being leveled at him.<sup>45</sup>

43. Pope to Sheridan, 11/4/79, and Pope to A. A. G., 1/9/80, W864/80. Russell to commissioner, 3/16/80, R310/80.

44. Russell to commissioner, 4/17/80, R434/80. Sheridan to Townsend, 4/20/80, W841/80; R962/80.

45. Because beef was high priced, conditions unsettled, and the agent strict in enforcing the terms of the contract, the representative of H. L. Newman and Company of East St. Louis advised his superiors to request a release from their beef contract rather than take a loss, advice that they followed. S. H. Newman to H. L. Newman & Co., 4/22/80, N227/80.

A subsequent move to oust the Mescaleros from the Fort Stanton region because of mining activity on the western slope of the mountains came to nought in 1882.<sup>46</sup> Their homesite had been provided, but civilization was yet to be achieved.

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46. Petition to president, 12/15/80, A955/80 in Office of Indian Affairs, Special Case 108. S. S. Stephens to Thomas, 5/27/82, LB 164, p. 348.



## CHAPTER X

## THE GILA APACHE

Of all the Indian tribes that roamed the mesas and mountains of New Mexico, the Apache in general, and those living west of the Rio Grande in particular, were the worst of the lot, in the eyes of the white man. The frontiersman could admire their skill in hunting, and their marvelous powers of endurance in traveling fifty to seventy-five miles a day on foot, or a hundred miles on horseback; he could marvel at their ability at deception, creeping into a military post and killing some unfortunate soldier or teamster with a lance or arrow; he might even grant them at times the virtue of keeping their plighted word and give them credit for cunning tactics in fighting; but after the pros and cons had been weighed, the opinion more apt to be arrived at was that the Apache "is a viper, an untameable, ferocious, sanguinary monster, bent upon the destruction of all with whom he comes in contact, and only restrained by fear."<sup>1</sup>

For nearly three decades after the outbreak of the Civil War, the soldiers, settlers, and miners waged intermittent war with these savages. They were gradually subdued and placed on reservations, but the marks of the conflict were long apparent to the eyes of the traveler. "The many crosses dotting the roadsides of Southern Arizona and New Mexico mark the graves of murdered men; indeed, the country seems one vast graveyard, if we may judge by the frequency of these rude memorials."<sup>2</sup> But for a few years prior to that period, after the Bonneville campaign

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1. John C. Cremony, "The Apache Race," in *Overland Monthly*, I, 205 (Sept., 1868). The writer claimed "a close, personal acquaintance of over eight years" with the Apache.

Cf: "Living among these people with practically no companionship except that of the Indians themselves, my feelings toward them began to change. That ill-defined impression that they were something a little better than animals but not quite human; something to be on your guard against; something to be eternally watched with suspicion and killed with no more compunction than one would kill a coyote; the feeling that there could be no possible ground upon which we could meet as man to man, passed away." Britton Davis, *The Truth about Geronimo*, p. 111.

2. Susan E. Wallace, *The Land of the Pueblos*, p. 155.

against the Gila Apache in 1857, they remained at peace. "So much so," Steck reported two years later, "that they would not allow him to travel about for hunting or other purposes without sending two of their people with him, for fear some accident might happen and suspicion be thrown upon them."<sup>3</sup>

But the Bonneville expedition had another influence that in the long run was not conducive to peace:

It has resulted also in bringing to notice a valuable and fertile portion of our Territory on the headwaters of the Gila river and its tributaries, which otherwise would have remained unknown for years and our Territory still subjected to the incursions of these roving bands regardless of lives and property."<sup>4</sup>

With the whites coveting the reds' territory, it was only a matter of a short time before contact between the two races began to bring the usual problems and difficulties. That of furnishing the Indians with sufficient rations to supplement their hunting activities in lieu of depredating for a living was immediately present.

The Mimbrenño band under Mangas Colorado hung around the mines at Santa Rita and were a worry to the property owners. Two of the savages accepted a job for two days; but since the white man's kind of labor was not to their liking, the necessities of life could not be provided for them that way. Moreover, the native settlers secretly traded bad powder and whiskey for stock stolen in Sonora. Such trade goods were a bad combination. The whiskey made easier the occurrence of some incident that might precipitate a fight and the powder, inferior though it may have been, gave the savage a better means for killing than afforded by bow and arrow. And while the mine owners were voicing their complaints in 1858, the Mimbrenños were starv-

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3. Bonneville to Thomas, 7/15/59, 36 Cong. 1 sess. Sen. Ex. Doc. 2, II, 306 (1024).

4. New Mexico Legislative Assembly, *Joint Resolution*, January, 1858, 35 Cong. 2 sess. Sen. Ex. Doc. 1, II, 279-80 (975).

ing on a ration of eleven pounds of corn per month for an adult and half that amount for a child. In order to view conditions at first hand, Superintendent Collins visited them in the fall; he distributed 300 blankets for about 600 Indians and increased the ration slightly. But these measures were only a partial reply to the complaint of the mine owners that "these Indians must be fed—steal, or starve."<sup>5</sup>

However, the government officials were also interested in a more permanent solution to the Apache problem and measures were taken to make these Indians a settled people. Under the tutelage of Steck, part of them were induced to do some planting along the Santa Lucía, a tributary of the Gila river. Collins recommended that a permanent reservation be laid out on the same site, a proposal that found a ready reception in Washington. As a result, in 1860, a reservation was authorized "commencing at Santa Lucía Springs and running north 15 miles; thence west 15 miles; thence south 15 miles; thence east 15 miles to the place of beginning."<sup>6</sup>

The reservation site had several advantages from the point of view of Collins: the Gila country was sufficiently far from settlements to avoid contact between the Indians and whites; and it lay on a north and south line with Fort Defiance and the proposed Ute reservation on the San Juan, so that a military patrol during the summer between the three points would serve to keep the Indians quiet and make unnecessary any more campaigns against them. He also believed that a military post nearby was necessary for the success of the plan. In this need he received the cooperation of the military; Colonel Bonneville located a company of soldiers southeast of the Burro Mountains, about eight to ten

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5. Sylvester Mowry to Denver, 1/7/58, and S. Hart to Mowry, 12/20/58, M551-59. S. Wait to Mowry, 12/17/58, M550/59.

The Mimbreno chief was "called Mangas Colorado (Red Sleeves), from a fashion he had adopted of wearing his arms painted with the blood of his victims." Mrs. F. E. Victor, "On the Mexican Border," in *Overland Monthly*, VI, 464 (May, 1871). See also John C. Cremony, "Some Savages," *Ibid.*, XIII, 202 (March, 1872).

6. Kapper, I, 873. Collins to Mix, 12/5/58, C1903/59. Greenwood to Joseph S. Wilson, 5/14/60, LB 63, p. 354. Steck, *Annual Report*, 8/12/59, 36 Cong. 1 sess. Sen. Ex. Doc. 2, I, 712ff (1023).



miles north of the Overland Mail route. Unfortunately for everyone concerned these plans went astray because of the Civil War,<sup>7</sup> although they might not have been realized even otherwise.

In the late fall of 1860, trouble broke out between the miners at Pinos Altos and the Apaches hanging around there. The miners accused the Indians of stealing horses, a charge that may or may not have been true because there were characters on the frontier other than Indians who were not above stealing stock; nevertheless, they took summary action. Major Lynde sent a force of troops from Fort Floyd to free some Apaches taken prisoners by the miners, and the officials hoped that the Indians could be made to see the difference between acts of the government and unauthorized acts of individuals.<sup>8</sup> This hope was hardly justifiable because the behavior of the government men themselves was not always above criticism.

On another occasion, in April, 1861, the military captured the Apache chief Cochise by treachery, in their attempt to punish those guilty of stealing a cow and a child. The chief escaped by cutting a hole through the tent in which he was confined and "made Arizona and New Mexico—at least the southern half of them— . . . about the liveliest place on God's footstool.

"The account, if put down by a Treasury expert, would read something like this:

Dr.

The United States to Cochise,  
For one brother, killed "while resisting arrest."

Cr.

By ten thousand (10,000) men, women, and children killed, wounded, or tortured to death, scared out of their senses or driven out of the country, their wagon and pack-trains run off and destroyed,

7. Collins to Mix, 12/5/58, C1903/59. Bonneville to Thomas, 7/15/59, 36 Cong. 1 sess. Sen. Ex. Doc. 2, II, 306 (1024).

8. Maj. J. Lynde to Steck, 12/14/60, and Steck to Collins, 12/14/60, C902/61. P. R. Tully to Collins, 1/3/61. C910/61.

ranchos ruined, and all industrial development stopped.<sup>9</sup>

With the outbreak of Indian hostilities, accelerated by the Civil War, the mining area around Pinos Altos and the farming area in the Mimbres valley were practically abandoned and the country surrendered to the savages temporarily. The troops were withdrawn in the spring of 1861. Lorenzo Labadi, who had been appointed agent at Tucson, then under the jurisdiction of Collins, was discouraged from assuming his duties by the threat of being tarred and feathered by southern sympathizers. He was recalled in June and the following month Steck acknowledged that there was no need for an agent in southwestern New Mexico because nothing could be done for the time being. A few miners lingered on into the fall, hoping for aid from the Confederate authorities, but resumption of the task of subduing the Apache and placing them on a reservation was to await the action of Carleton two years later.<sup>10</sup>

The new departmental commander sent an expedition against the Indians in January, 1863, and established Fort West on the Gila river. The results were pleasing to the military because the famous chief Mangas Colorado was disposed of while attempting to escape from his captors at Fort McLane.<sup>11</sup>

9. John G. Bourke, *On the Border with Crook*, p. 120. Raphael Pumpelly, "A Mining Adventure in New Mexico: A real experience," in *Putnam's Magazine*, IV, 495 New Series (Oct., 1869). Frank C. Lockwood, *Pioneer Days in Arizona*, pp. 160-163.

10. Tully to Collins, 6/2/61, C1231/61. Labadi to Collins, 6/16/61, C1244/61. Steck to Collins, 7/15/61, C1286/61. Wm. Markt to commander-in-chief confederate troops in Ariz. Terr., 10/8/61, R. R., Ser. I, vol. IV, 120. Collins, *Annual Report*, 10/8/61, 37 Cong. 2 sess. Sen. Ex. Doc. 1, I, 732-33 (1117) .

11. General Orders No 3, 2/24/64, R. R., Ser. I, XV, 227. The escape was probably planned by the military to afford an excuse for killing Mangas. See Steck to Dole, 2/15/65, S606/65; S. W. Cozzens, *The Marvellous Country*, p. 526; Lockwood *Pioneer Days*, p. 157-60.

"His name was a tocsin of terror throughout northern Mexico, Arizona, and New Mexico; and, to this day, the people shudder when they hear the name of Mangas Colorado."

"There is no exaggeration in affirming, that his hands have been reddened in the gore of hundreds of victims." Cremony, "Some Savages," in *Overland Monthly*, VIII, 202-203 (March, 1872).

Furthermore, their hearts rejoiced because the evidences of rich gold fields and of silver and of inexhaustible mines of the richest copper in the country at the head of the Mimbres River and along the country drained by the Upper Gila are of an undoubted character. It seems providential that the practical miners of California should have come here to assist in their discovery and development.<sup>12</sup>

In his enthusiasm for gold, Carleton visualized another El Dorado comparable to the gold fields of California. He assured interested parties in the East that Fort West would be a permanent post to provide protection for miners; unless, of course, the Confederates successfully invaded New Mexico. A nugget of gold was forwarded to Washington for President Lincoln; "It will gratify him to know that Providence is blessing our country, even though it chasteneth."<sup>13</sup> But in order to realize to the full the blessing of Providence more troops were needed. To this end an urgent appeal was made to General Halleck for aid. He was sympathetic and "fully aware of the importance of exploring and opening up for mining and settlement that vast region of country that separates the Mississippi Valley from the Pacific States. But at the present we have not the means of doing this."<sup>14</sup> However, he did authorize the enrollment of volunteers within reasonable limits for the undertaking.<sup>14</sup>

A year later, after the main thrust at the Navaho had been completed, a simultaneous movement against the Gila bands was ordered for May 25, 1864. Detachments were detailed to operate from the several army posts dotting western and southwestern New Mexico and southern Arizona, from Fort Wingate to Tucson, and another fort, Good-

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12. Carleton to Thomas, 2/1/63, R. R., Ser. I, XV, 670.

13. Carleton to Chase, 9/20/63, S. J. C., 1867, p. 140. Samuel J. Jones to Carleton, 3/18/63, A. G. O., LR, S8/65. Carleton to Jones, 4/27/63, S. J. C., 1867, p. 109.

The General's imagination was not restrained by an international boundary. There was gold too in Mexico "which states the French want, and which we should never permit them to have." Carleton to Thomas, 8/1/63, S. J. C., 1867, p. 121.

14. Halleck to Carleton, 9/8/63, R. R., Ser. I, Pt. I, vol. 26, p. 720. Carleton to Halleck, 5/10/63, R. R., Ser. I, vol. 15 p. 723.



win, was planned for the banks of the Gila. The usual Carleton instructions were issued: the Apache must surrender or be killed.<sup>15</sup>

Insofar as subduing these savages was concerned, the campaign was a failure. The soldiers were not able to round up the elusive enemy who displayed their boldness, and even contempt for the soldiers, by venturing to the very picket ropes of Fort Goodwin.<sup>16</sup> One party of seven was captured at Zuñi while trading for powder and lead and were sent to the Bosque Redondo,<sup>17</sup> where Carleton planned to locate all of them, but that was a meagre success in view of the elaborate plans made.

Friction between Carleton and Steck over the policy of managing Indians of course extended to the Gila. A report came to Steck in February, 1865, that Victorio and Salvador (son of Mangas Colorado) visited Pinos Altos and expressed a desire for peace; furthermore, they preferred not to deal with the military because of distrust engendered by past experiences. Steck was in sympathy both with their desire for peace and their distrust of the army officers "as they have suffered from their treachery."<sup>18</sup> He accordingly made plans to visit them on the Gila and requested a military escort from Fort Craig to Fort West or to the Mimbres if the interview was held there. Carleton flatly declined to cooperate. The Apache, according to his view, were in charge of the military until at peace and they must surrender and go to the Bosque Redondo or be exterminated.<sup>19</sup> This *impasse* was followed by four years of Indian attacks on the unwary traveler, settlements, and military posts, and intermittent scouts by soldiers through the hills trying to catch the hostiles. On the whole, the Indians had the better of the struggle. They even ran off the cavalry horses at least twice,

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15. General Orders No. 12, 5/1/64, R. R., Ser. I, pt. 3, XXXIV, 387-89.

16. X. Y. Z. to Editors, 9/9/64, in *The New Mexican*, 9/23/64.

This boldness, of course, was in keeping with the known ability of the Indian to disguise himself and even penetrate inside an army post without detection.

17. *The New Mexican*, 9/16/64.

18. Steck to Mix, 3/12/65 and petition from Mesilla, 2/10/65, S624/65.

19. Steck to Carleton, 3/15/65, and Carleton to Steck, 3/16/65, S625/65.

much to the irritation of Carleton.<sup>20</sup> The mail carriers between Mesilla and Tucson, to Pinos Altos, and occasionally while crossing the Jornada del Muerto, ventured on their trips at the risk of their lives. Pinos Altos was favored with a raid in March, 1869, and Tularosa in April of the same year.<sup>21</sup> The killing of individuals and stealing stock in small numbers were almost too frequent to record. On

April 2, [1869] the Indians killed and stripped a Mexican close to this town [Pinos Altos], while coming from the post; about the same time they stole forty goats from Vicente Lobato, one horse of Judge Houston, one horse and one burro of Carlos Navarro, and two burros of Wm. Grant, all of Pinos Altos.

On the 26th they killed a man at the Santa Rita copper mines, and chased a hunter into Mr. Vendlandt's cabin at San Jose.

On the 30th they killed, stripped and scalped two miners in the Arroyo de Santo Domingo, about one mile and a half from town; stole one horse from Mr. Emil Markt, fifteen head of cattle from Mr. Bremen, and about the same amount from Mr. Paterson, beef contractor at Fort Bayard.

Why does not our government raise volunteers, and like the Mexican government pay \$100 per scalp. Here in Doñ Ana and Grant county could be raised at least three hundred men, who in a short time would suppress all these cruelties. If something is not soon done Pinos Altos will be "played out."<sup>22</sup>

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20. Col. Francisco P. Abreu to Maj. C. H. De Forrest, 5/4/66, A196/66. Carleton to Capt. Geo. A. Burkett, 6/22/66, C340/66.

21. *The Daily New Mexican*, 3/31/69 and 5/3/69.

22. Citizen to Editors, 5/7/69, *The Daily New Mexican*, 5/17/69.

"But little notice is taken now-a-days of the record of 'Indian Depredations,' unless we happen to be the sufferers ourselves. So often are these outrages laid before the public through newspapers, that they have come to be regarded as an 'old song,' and no attention is paid them; it is not easy to say how this unhealthy state of affairs is to be changed, and the government aroused to a proper sense of its responsibility. Certain it is that while we remain inactive, or at most stand in the defensive, the Indians continue to sap the very foundations of every branch of industry and enterprise in the Territory. The people have patiently waited for years with the confident hope that the government would take measures to put a stop to

Meanwhile, the military had been trying to do something about the matter. Fort Selden was established at the southern end of the Jornada del Muerto, in the spring of 1865, for the protection of the Mesilla valley, and in the fall of 1866, Fort Bayard was located near Silver City for the protection of the miners in that neighborhood. Carleton believed that the seekers for gold would persist in venturing into Indian country and that they ought to be protected so that the mineral wealth could be exploited for the general benefit of the country.<sup>23</sup> Although these measures did not end the depredations, they did encourage the return of the miners.<sup>24</sup>

The efforts of the army to control the Apache was seconded by the territorial officials. Under a law of 1857 authorizing the loan of public arms, the acting governor recommended, November 20, 1866, that volunteer companies be formed for home protection. And in 1869, when the Indian depredations were raising a greater storm of public protest than usual, the probate judges were authorized to organize

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23. "General Carleton, Colonel Davis, Colonel Enos and other officers have mining interests in that section [Fort Bayard] of the country, but I do not believe, that those officers have made use of their official positions, in any way, to protect specially, those interests." Getty to A. A. A., 10/6/67, A. G. O., LS 43, p. 323.

24. Norton, 8/24/67, in C. I. A., *Annual Report*, 1867, p. 193.

"The news of the soldiery coming to this rich mining country was drawing miners and adventurers from far and near, and Pinos Altos promised to become a mining district once more." Josephine Clifford, "An Officer's Wife in New Mexico," in *Overland Monthly*, IV, 152 (Feb. 1870). Mrs. Clifford arrived at Fort Bayard late in August, 1866.

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the existing state of affairs, but each year reveals increasing outrages by the Indians and neglect from the government.

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"There are barely sufficient troops in the Territory to garrison the posts, and it is in the immediate vicinity of these posts that most of the depredations are committed . . . . On the 17th ultimo the Indians came into Fort Bayard and drove off a herd of beef cattle belonging to the beef contractor . . . . The gallant raiders triumphantly ascended the summit of Burro Mountain, where they halted for a few days, killed and jerked the beef, had a grand baile, and then went on their way rejoicing.

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"Pinos Altos, once a flourishing mining district, . . . is now fast deserted by the hardy miners because of the annoyance of the ubiquitous Apache . . . . In the part of the country to which I allude, the semblance of protection received from the government is only a farce and a mockery."

Jornada to Editors, June 5, 1869, *The Daily New Mexican*, 6/14/69.



mounted posses of ten to twenty-five men in each precinct. They were instructed to proceed only against marauders and not to molest Indians that were living at peace.<sup>25</sup> Several posses were organized under this procedure,<sup>26</sup> but they could accomplish little more than civilian retaliatory expeditions had been able to do in past years.

In the midst of these attempts to subdue the Gila, the Carleton plan of concentrating all Apaches at the Bosque Redondo lost favor. The Indians were difficult to capture and sufficient troops for a definitive campaign had never been provided to make the policy a success. The proposal for a separate reservation for the Gila was revived, sponsored by Superintendent Norton and supported by the people in the Silver City area.<sup>27</sup> Such a plan was also apparently acceptable to the Indians. Some of them expressed a desire for peace in 1867 on the basis of a separate reservation, and in 1869 the Mimbrenño band made known their desire to the commander at Fort McRae to camp on the west side of the Rio Grande across from the post,<sup>28</sup> a location that was in the region where they desired to have a reservation.

When the military superseded the civil officials in the Indian service in 1869, Lieutenant Chas. E. Drew was assigned to the Gila in July with instructions to prepare them for a change into a civilized form of existence. The new agent pursued his new task energetically and found truth in the above reports that the Indian wanted a reservation. The Mimbrenños, under chief Loco, wanted to plant at Cuchio (Cuchillo Negro), an old haunt, to hunt along the east side of the Mimbres mountains south to Fort Thorn, eastward of the Rio Grande to Sierra del Caballos, and twenty miles north from Fort McRae. Drew believed strongly that the peace policy would succeed, but prompt measures to relieve

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25. New Mexico, *Executive Record*, 1851-1867, p. 417. Clinton to Parker, 8/26/69, C436/69.

26. *The Daily New Mexican*, 9/11/69, 9/25/69, 11/23/69.

27. Letters to Manderfield and Tucker from Mimbres, 8/11/66, and Pinos Altos, 8/15/66, N105/66.

28. A. H. Hackney to Colonel (?), 1/31/67, H81/67. C. Grover to A. A. G., 6/2/69, G149/69. Getty to superintendent, 7/3/69, G167/69.

their distress were necessary. The need for funds then was urgent; but as usual the supplies were insufficient, although a small amount of food was provided for his new charges.<sup>29</sup>

Drew held another meeting with the Apache on October 10 near the town of Cañada Alamosa, about twenty-five miles northwest of Fort McRae. In addition to Loco, Chiefs Victorio, López, and Chastine were present with their followers. The new comers came well prepared for trouble and would not tolerate the presence of soldiers. Recognizing the critical nature of the situation, Drew made every effort to allay their fears. A citizen posse under Captain Bullard was persuaded to leave town, and a request was sent to the several army posts not to send any scouting parties to disturb them. But aside from making promises, the agent was in no position to furnish the Indians with adequate supplies for the usual reason.<sup>30</sup>

The new peace policy did not meet with an entirely favorable reception on the frontier. A decade of depredations was a long record for the Indians to remove from the public mind before their peaceful intentions would be accepted at full value. Consequently, when some of the hostiles committed further outrages, the Indians assembled at Cañada Alamosa were viewed with suspicion and even accused of the crime. In November this feeling broke out into an open dispute when W. L. Rynerson wrote a strong letter to Governor Pile stating that the Mimbrenos had left their camp and requesting additional troops to operate against hostiles in general.<sup>31</sup> Drew replied to the charge with the accusation that

From information received from reliable sources, I am compelled to believe, that a party in the lower country is strongly opposed to any attempt to make peace with the Apaches, and especially to the placing of them on a reservation—No doubt they have their own reason for their conduct.<sup>32</sup>

29. Parker to Drew, 7/6/69, LB 90, p. 537. Parker to Clinton, 7/16/69, LB 91, p. 79. Drew to Parker, 9/3/69, C481/69.

30. Drew to Clinton, *Report*, 10/11/69, C612/69.

31. 11/22/69, C801/69.

32. Drew to Clinton, 12/12/69, C801/69.

Rynerson was post trader at Fort Bayard and additional troops, of course, would improve his business, but the temper of the times in New Mexico partly favored the continued use of the army in controlling the Apache. Drew, however, was doubtless sincere and maybe right when he absolved his immediate charges of any wrong doing since contacting them.

Resolutions were forwarded by citizens of Mesilla, Mimbres, and Pinos Altos, in support of Rynerson and condemnation of the peace policy, particularly when it consisted apparently of collecting Indians on a reservation safe from pursuit for wrong-doing and without troops to prevent them from depredating. The inhabitants of several small settlements near the proposed reservation countered with resolutions in support of Drew and the peace policy.<sup>33</sup> The controversy carried on into the spring of 1870. With the miners "Up here, in the hill country, there is no two sides to the Indian question";<sup>34</sup> meaning, of course, that Drew's Indians were depredating and that force was the proper solution to the problem. Residents of Paraje were equally confirmed in the belief that their stock had not suffered from the misdoings of the Cañada Alamosa Indians, and the agent was of the opinion that thefts committed by whites were often unjustly attributed to his charges.<sup>35</sup>

Despite some depredations in the spring, whether by the Indians at Cañada Alamosa or not, there was a decided decline in the activities of the hostiles.<sup>36</sup> But such a lull decided nothing definitely. The frontier was divided in opinion about the peace policy, a state of mind that constituted a serious threat to its success. As Nimrod posed the question:

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33. *The Daily New Mexican*, 1/29/60, 3/1/70, 3/9/70.

34. Miner to Manderfield & Tucker, 2/25/70, in *The Daily New Mexican*, 3/18/70. Rynerson to Editors, 1/2/70, *Ibid.*, 1/4/70.

35. Drew to Clinton, 1/5/70, C840/70. Resolutions from Paraje, 4/28/70, in *The Daily New Mexican*, 5/10/70.

36. Pile to Probate Judges, 5/26/70, C1363/70. Rynerson to R. M. Stephens, 6/6/70, in *The Daily New Mexican*, 6/18/70.



Were you to see a choir of heavenly breech clouts approaching, preceded by a flag of truce on a ramrod, singing, sweetly in tune, from "Drew's Sacred Harmony:"

Ye boundless realms of joy,  
Exalts our Vincent's fame;  
His praise your song employ,  
Above the starry frame.

\* \* \*

would you shoot, or halt your wagon and invite them to a potluck, . . . ?

The questioner rather guessed "I'd shoot, or, if I had a poor team I'd stop and grub 'em, . . . and when they had licked the platter, I'd shake hands all round and go, without apparent fear of injuring the jack wax of the neck by too frequent or sudden retrospection over the shoulder in the direction of the Vincent Brothers."<sup>37</sup>

The sincerity of the opposition to the Cañada Alamosa project was more open to suspicion in that it finally developed into a personal attack on the agent. He was accused of habitual intemperance by Rynerson and residents of Doña Ana County, a charge that was brought formally before the superintendent in May by Messrs. Jeffords and Brevoort, traders who had had their licenses revoked by Drew. The tribulations of the agent, however, were soon to an end. He died on June 5 from exposure, having lost his way in the mountains when in pursuit of some depredating Mescaleros. A. G. Hennisee was immediately detailed to take his place.<sup>38</sup>

The tenure of the new agent was brief, but in the few months that he was on duty at Cañada Alamosa, he found that his job was not a bed of roses. The funds continued to be woefully inadequate for providing the Indians with a living and they doubtless now did occasionally purloin a beef from their neighbors. In February, the superinten-

37. Nimrod, 3/22/70, in *The Daily New Mexican*, 4/4/70.

38. Rynerson to Chaves, 2/26/70, C1209/70. Jeffords and Brevoort to Clinton, 5/12/70, C1323/70. H. D. Hall to Clinton, 6/5/70, C1392/70. See also 091/70.

dent had purchased 300 Mexican blankets for the practically naked Indians without permission from Washington, and allotted \$2,500 for their subsistence. This was supplemented by supplies advanced by the post commander at Fort Craig.

Other complications arose from the tendency of the Indians to make whiskey when whole corn was issued, and the practice indulged in by the settlers of selling them liquor and sometimes ammunition. Hennisee, in an attempt to break up this practice, came to blows with the local officials, at Cañada Alamosa. He was put on trial for assault and in turn secured the indictment of the justice of the peace and the constable before the United States commissioner at Albuquerque. Civil action had been resorted to in fear that the summoning of soldiers would excite the Indians and cause them to decamp for the mountains.<sup>39</sup> This troublesome situation was passed on to Hennisee's successor, Orland F. Piper, who, sponsored by the Presbyterian Board of Foreign Missions, was appointed to that agency in November, 1870.

Meanwhile, one cheering event had occurred. The elusive chief Cochise, whose hatred of the whites dated back for a decade, from the days of his treacherous arrest and the murder of Mangas Colorado, visited Cañada Alamosa briefly and evinced a desire for peace. This was considered a golden opportunity for pushing the project of a permanent reservation with adequate support for the Indians, but the usual lack of funds prevented decisive action.<sup>40</sup> With the office of Indian affairs in no financial condition to meet the emergency, Colyer appealed to the war department for aid until a congressional appropriation was available. In the absence of the secretary, the necessary order to that end was signed by President Grant. Then the discouraging information was forwarded from New Mexico that there was no

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39. Clinton to Drew, 10/6/69, A687/70. Clinton to Parker, 2/5/70, C907/70. Hennisee to Clinton, 6/22/79, C1437/70. Hennisee to Clinton, 9/16/70, C1730/70.

40. Hennisee to Clinton, 10/22/70, C1866/70. Pope to Parker, 12/7/70, P576/70, and P592/70.

surplus of beef and corn in the district to supply the Indians;<sup>41</sup> however, that was a defect that could be remedied.

In the spring and summer of 1871, local feeling against the Gila Apache again rose to fever heat.

“It would seem that the government ought to inaugurate more vigorous means of dealing with these wretches than feeding them good beef & bacon on the reservation,” one complainant wrote. “Milk & water, kid glove policies may do for some tribes but its no go with the Apaches.”<sup>42</sup>

Governor Pile favored the peace policy in principle, but aware of the public attitude, he threatened to take action if the government did not soon accomplish something more tangible than had yet been done. The local federal men were doing all that they could; there were over 1,000 Apache assembled at Cañada Alamosa and Superintendent Pope had been doing his best to keep them contented, a particularly difficult task in the face of two years of promises of a permanent reservation and insufficient rations. In addition to some aid from the military and the meager funds allotted by the Indian bureau, he had incurred an indebtedness of \$9,000 in the interest of these Indians. The increase in depredations he attributed to the aggressions of scouting parties of soldiers and citizens. But his telegram to Washington that “The condition of affairs in southern New Mexico demand immediate action,”<sup>43</sup> could have applied at almost any time during the past ten years.

Piper visited his charges early in March, 1871, and found them much excited over reports that scouting parties were coming their way. He attempted to allay their fears and remained confident that “If these Indians are not tampered with by men that would like to make trouble, and they are furnished with sufficient food, I think there is no danger of them leaving the reservation. I am confident that they

41. Colyer to Townsend, 12/23/70, A1598/70. Townsend to Colyer, 12/29/70, A5/71. J. P. Clum to Colyer, 12/21/70, LB 97, p. 541, B. I. C., *Report*, 1870, p. 102.

42. E. W. Peet to Benjamin F. Butler, 3/12/71, P167/71.

43. Pope to Parker, 3/18/71, P149/71. Pile to Pope, 3/18/71, P154/71.



desire peace.”<sup>44</sup> The superintendent supplemented the efforts of his agent by paying a visit to Cañada Alamosa in April. He promised food and protection for all who came into the camp, but believed it inadvisable to raise the subject of a permanent reservation until such time as Cochise had been rounded up with his followers.<sup>45</sup>

But since all the Indians were not coöperating in forwarding peace there was always the possibility that an armed party would invade the reservation. Some stolen stock was actually traced to Cañada Alamosa in July. This, on top of numerous killings up to that time, led the citizens of Mimbres to organize a posse or at least threaten to do so and recover the stolen stock wherever it be found, even at the sacrifice of every Indian “man, woman and child in the tribe.” And if any agents, traders, or soldiers intervened, they would be treated as common enemies of New Mexico!<sup>46</sup> This belligerent manifesto was forwarded to the superintendent by Richard Hudson of Pinos Altos, who wanted to know whether the stock could be recovered peacefully

or if we are to be forever at the mercy of these thieving, murderous Apaches, who have a “House of Refuge” at Alamosa . . . , because the citizens of this county are determined to put a stop to it, and if they carry out their programme the Camp Grant massacre will be thrown entirely in the shade and Alamosa will rank next to “Sand Creek.”<sup>47</sup>

In answer to the threats of the aroused citizens, Agent Piper advised patience and forbearance. The superintendent then instructed him to restore any stolen stock found among the Indians and to apprehend the guilty ones or drive them away from this refuge so that they could be subject to punitive action by the armed forces. But lest the innocent suffer with the guilty, the military was requested to keep at

44. Piper to Editors, 3/11/71, *Weekly New Mexican*, 3/2/71.

45. Pope to Parker, 4/21/71, P224/71.

46. Mimbres resolutions, 7/19/71, C542/71. Hiawatha to Editors, 7/16/71, *The Daily New Mexican*, 7/29/71. Pile to Fish, 4/27/81, A298/71.

47. Hudson to Piper, 7/18/71, C542/71.

least one company in readiness to protect the Indians who remained on the reservation.<sup>48</sup> The efforts to meet this crisis had been seconded by President Grant with the suggestion that additional powers be given either to Superintendent Pope or Colyer for that purpose.<sup>49</sup>

Colyer had been directed in May, 1871, by the board of Indian commissioners, to proceed to New Mexico and Arizona and carry out the general policy that had been laid down by the government in 1869; namely,

That they (the Indians) should be secured in their legal rights; located when practicable on reservations; assisted in agricultural pursuits and the arts of civilized life; and that Indians who should fail or refuse to come in and locate in permanent abodes provided for them would be subject wholly to the control and supervision of military authorities, to be treated as friendly or hostile as circumstances might justify.

Congress made available, as of July 1, the sum of \$70,000 to finance the cost of this undertaking.<sup>50</sup> In keeping with the suggestion of the president, Colyer was invested with full discretionary powers by the secretary of the interior to carry out the plan.<sup>51</sup>

He arrived in New Mexico in August and journeyed immediately to Cañada Alamosa, where he found to his disappointment that the Indians had been frightened away by the residents of Mimbres despite the order for troops from Fort McRae to afford protection. But undiscouraged, Colyer proceeded with the main business in hand, that of a permanent location for a reservation, with the feeling that the run-a-ways would return when conditions were more satisfactory. Cañada Alamosa was considered unsuitable and a site was picked out ten miles on each side of the Tularosa river and its tributaries for a distance of thirty miles from

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48. See correspondence in C542/71.

49. Grant to Delano, 7/13/71, I603/71.

50. B. I. C., *Report*, 1871, p. 5-6.

51. Secretary of interior to Colyer, 7/21/71, in C. I. A., *Annual Report*, 1871, p. 77. Townsend to general, department of Missouri, 7/18/71, A453/71.

their origin in the Datil mountains and allied ranges of southwestern New Mexico. The location was remote from the settlements, surrounded by mountains not easily crossed, with sufficient arable land, water, wood, and game. Agent Piper was instructed to collect his charges there as soon as possible and the military were ordered to provide protection.<sup>52</sup>

Prospects for success with the new venture were brightened when the arch evil among the Gila, the famous Cochise, joined his brethren at Cañada Alamosa on September 28. "He rode up to the office of the agency, dismounted, and walked in with marked dignity, and the bearing of a man of great force of character."<sup>53</sup> This auspicious event was the result of negotiations begun in the spring of 1871 when messengers had been sent to get in contact with him. Cochise was on a raiding expedition into Mexico at the time, but the Indians in his camp near the Arizona boundary line, "nearly naked, half starved, and in constant fear of scouting parties of troops," were induced to come to Cañada Alamosa except Cochise's family, who agreed to come in with the chief when he returned. His acceptance of the urgent invitation extended by the government to reside on the New Mexico side of the boundary line was no doubt influenced by the activity of Crook in Arizona and the governments of the northern Mexican states.<sup>54</sup>

With the presence of three important chiefs and their followers, Cochise, Loco, and Victorio, at Cañada Alamosa, and presidential approval of the new reservation, the next problem, and a difficult one, was the removal of the Indians. Agent Piper reported that "They positively refuse to go;

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52. Colyer to Delano, 8/22/71, C570/70. Colyer to Pope, 8/29/71, A575/71.

"We regret to learn that that old philanthropic humbug, Vincent Colyer, is about to inflict another visit upon our unfortunate Territory." *The Daily New Mexican*, 7/27/71. But see Peace to Editors, 8/24/71, *Ibid.*, 8/30/71, for a more favorable attitude.

53. San José to editors, 9/28/71, *The Daily New Mexican*, 10/5/71. Pope to Parker, 10/7/71, P477 1/2-71.

54. Piper to Col. Davis, 9/30/71, A629/71. Pope to Parker, 4/21/71, P213/71. Pope to Parker, 5/24/71, P275/71. Pope to Parker, 6/28/71, P319/71.



saying that I may take the rations and give them to the Bears and Wolves, that they will do without."<sup>55</sup> Consequently, he recommended that they be permitted to remain where they were and a great saving to the government would be effected. This easy tolerance of the Indians' objection was not shared by the superintendent. He suspected that the settlers at Cañada Alamosa favored the retention of their neighbors for the sake of profits from trade. But the best that Pope could propose was to move the agency and trust to various factors, such as hunger when rations were ended at Cañada Alamosa, the approaching winter, and the troops on the move in Arizona, that the Indians would follow their agent. It was a critical situation because a display of force to effect the removal might cause a large part of the savages to scatter like scared jackrabbits. A temporary policy of leniency was finally decided upon with the approval of President Grant and the removal was postponed until spring, but on the understanding that "they must prepare to move as soon as possible to 'Tularosa' or some other locality that may hereafter be selected for their occupation."<sup>56</sup>

When spring arrived the project of removal was again taken in hand. Pope held a conference with the Indians on March 19 and fixed May 1 as the day of departure. He was still convinced that the long delay had been due primarily to the machinations of the settlers and reservation hangers-on and was determined to push the matter to a conclusion regardless of the consequences. Those who were willing to go would be provided for, the rest would be left to the military for summary action.<sup>57</sup>

Matters did not proceed exactly as planned, but the officials were finally rewarded for their patience and persistence. The agency was removed to the new site at the

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55. Piper to Pope, 10/20/71, P521/71.

56. Clum to Pope, 11/8/71, LB 103, p. 266. Pope to commissioner, 10/17/71, P501/71. Piper to Pope, 10/20/71; Pope to commissioner, 10/26/71; and Delano to Clum, 11/20/71, I997/71. Delano to Clum, 11/7/71, I969/71.

57. Pope to Walker, 3/23/72, P766/72; 4/29/72, P819/72; and 5/9/72, P340/72.

end of April and two companies of soldiers were stationed there as garrison for the new Fort Tularosa. The superintendent was disgusted at the obstinacy of the Indians in not following immediately, but the deadline for action on their part was moved up to June 1 and the military refrained from sending out scouting parties for the time being.<sup>58</sup> This wise decision brought its reward. A report was received at Fort Craig on May 12 that a band of the Indians were on the north end of the Cañada Alamosa location in a mood to move and awaiting transportation of Indians.<sup>59</sup>

Devine and Pope arrived at Tularosa on the 19th with six wagon loads of the more feeble women and children. The rest of the followers of Victorio, Loco, and Chica, a sub-chief in Cochise's band, took a more mountainous route and arrived later with the balance of the women and children who had refused the invitation to ride. But the suspicious Cochise, whose sojourn on the reservation had again been brief, held aloof, watching the proceedings from his haunts in the mountains. It was planned to let him alone for a while, merely sending out scouting parties and runners to warn all Indians to come in.<sup>60</sup> And there were yet many loose in the hills. Of the maximum number of about 1,900 that had assembled at Cañada Alamosa at one time or another, only about 500 favored the new location with their presence.<sup>61</sup>

The reluctance of Cochise to accept a home on the new reservation was still a serious factor in the success of the plan. When General O. O. Howard came to the southwest in the summer of 1872 as a special representative to bring peace to the country, he visited the chieftain in his stronghold in the Dragoon mountains, October 1. The upshot of this meeting was an agreement whereby he and his band would be permitted to settle on a reservation, the Chiri-

58. Piper to Pope, 4/30/72, P3/72. Devine to A. A. A. G., 5/9/72, W1629/72.

59. Devine to A. A. A. G., 5/13/72, W1629/72.

60. Pipe to Walker, 5/19/72, P850/72; and 6/5/72, P890/72.

61. Piper to Pope, 10/24/71, P357/71. Nemo to Editors, 6/15/72, *The Daily New Mexican*, 7/3/72. *Ibid.*, 10/3/72. See also W596/72.

cahua, in the southeastern corner of Arizona.<sup>62</sup> There the old warrior spent his last years in peace, dying on June 8, 1874.<sup>63</sup> His troubled existence had come to an end, but the same could not be said for his people.

Although settling the affairs of the Cochise band for the time being, Howard had not been an entirely happy influence on the course of events at Tularosa. Quickly aware of the reluctance of the Indians to leave Cañada Alamosa, he had unwisely promised them that they could return if Cochise would locate there, a promise of course which could not be fulfilled.<sup>64</sup> He also issued passes to a small band, from whom he had drawn his guides for the trip to the Dragoon mountains, to visit Cañada Alamosa for hunting. These visitors to the old reservation were soon accused of stealing and the superintendent took steps to end the temporary military inactivity sponsored by Howard and return to the policy of driving the Indians back to the reservation.

But Cañada Alamosa remained a strong attraction for the Indians at Tularosa and there was an intermittent complaint about not being permitted to return. The ostensible reason was the lack of farming land at Tularosa to provide the customary fruits and vegetables obtainable in the old location. Superintendent Dudley on a visit to the reservation in March, 1873, attributed the discontent to the lenient policy of the agent, John Ayers, whom he accused of encouraging the idea of a return as a means of preserving peace among them. But when a letter from General Howard was read to them in council, stating that the refusal of Cochise to return made impossible the reoccupation of Cañada Alamosa, and the distribution of a few presents and a promise to prove the fertility of the lands at Tularosa were made, the feeling of discontent was temporarily allayed. Victorio

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62. Howard to commanding officer at Fort Lowell, 10/2/72, W543/72. Howard to Walker, 10/15/72, H319/72.

Vincent Colyer resigned in February, 1872.

63. Dudley to Smith, 6/30/74, in C. I. A., *Annual Report*, 1874, p. 301-302.

64. Granger to A. A. G., 9/29/72, W436/72. Howard to Coleman, 2/7/73, D378/73.



was then given a pass to bring back 100 young men on their way to raid Mexico. But despite these measures, the desire of the Indians for the former location was ultimately to be realized,<sup>65</sup> though only temporarily.

Perhaps both Piper and Ayers had leaned too heavily on the side of leniency, but the adoption of a sterner attitude with the arrival of Agent Benjamin M. Thomas did not mend matters. In the summer of 1873, a brush occurred between a scouting party from Fort Selden and a small group of Indians near Cañada Alamosa under the leadership of one of their more notorious thieves. Pursuant to the statements made by the chiefs in the past that their bad men should be punished, Thomas requested Major Price to arrest the troublemakers. When the military attempted to apprehend them at Tularosa, where they had returned, the Indians in general refused to countenance such action and fled to the hills, except for thirty-five that were captured. The military were then faced with the task of either coaxing or driving them back.<sup>66</sup>

This demonstration of force to control the Indians was a reaction from the idealism of Colyer. Both Thomas and Price were in accord that a firm policy was necessary. As Price wrote,

I believe and *know* that the most humane policy to pursue both toward the Indians and the scattering population of a new country, is to never overlook or compromise a depredation committed by the Indians against the defenceless and scattered white settlers, nor to allow citizens to vent their vengeance against innocent or inoffensive Indians on a reservation and supposed to be under

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65. Dudley to commissioner, 3/15/73, and Howard to Coleman, 2/7/73, D378/73. Stapleton to Dudley, 3/1/73, D370/73.

John Ayers succeeded Piper temporarily in September, 1872. Benjamin M. Thomas was given the permanent appointment in November.

66. Capt. Geo. W. Chilson to Price, 7/17/73, and Price to A. A. A. G., 7/25/73, W1013/73. Thomas to Dudley, 7/25/73, D417/73.

the protection of the Military Authorities of the United States.<sup>67</sup>

There was certainly justification for a belief in the wisdom of a strict policy of management because the handling of the Gila was a task that would tax the patience of a Job and the wisdom of a Solomon. Getting drunk on *tizwin*, which they made from corn, was a common occurrence, and the presence of soldiers with access to a supply of whiskey at the trader's post made liquor a source of trouble from both sides. The inability of some of the Indians to refrain from stealing stock was just as marked as ever. Whereas at Cañada Alamosa the fruits of their stealing could be traded to unscrupulous whites, at Tularosa the Navaho from the north were glad to exchange blankets for stock. A stealthy foray on some outlying settler's cattle and a quick disposal of the spoils on the reservation could be accomplished despite the efforts of the chiefs and the white officials to prevent it. And if life became too uninteresting an arrow could be unloosened at some employe of the agency to provide a little amusement. But, along with the delinquents, there were many others who could elicit favorable comment for their general behavior and desire for peace. However, after long contact with these savages, the average white was more inclined to accept the view that "To sum up the Apache he may be said to be the *but-cut* of original sin!"<sup>68</sup>

In the midst of the trials and tribulations at Tularosa, and the known preference of the Indians for the Cañada Alamosa, the idea of another change in the location of the reservation for the Gila gained ground. They had never yet all collected together at their new home, the number varying from an average of 330 during the summer months to

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67. Price to Willard, 2/28/74, W498/74.

The government supports troops here "for the purpose, practically, of allowing these Indians to steal and kill almost as freely as they did when on the war path. They have been allowed to do this off the reservation so long, that lately they have felt at liberty to threaten the lives of the men employed at the Agency to serve them." Thomas to Price, 7/24/73, D417/73.

68. *The Daily New Mexican*, 10/3/72.

663 in the winter.<sup>69</sup> Superintendent Dudley as early as December, 1872, suggested removal to Fort Stanton in order to save the cost of one military post and agency. Furthermore, it was pointed out that Tularosa lay too far west of the line of frontier posts to permit proper control of the Indians, and the short growing season made it difficult to develop farming habits. Finally, in the spring of 1874, Dudley definitely recommended that Tularosa be abandoned and that the Gila be brought back to Ojo Caliente (Warm Springs) at the head of Cañada Alamosa, where they would be a bit farther away from the towns; the one settler closeby could be bought out for \$2,500. All in all it was the most favorable place that he knew of for a reservation. Accordingly, a site was established by Executive Order, April 9, 1874:

Beginning at the ruins of an ancient pueblo in the valley of the Cañada Alamosa River, about 7 miles above the present town of Cañada Alamosa, and running thence due east 10 miles; thence due north 25 miles; thence due west 30 miles; thence due south 25 miles; thence due east 20 miles to the place of beginning.<sup>70</sup>

After the Indians, to the number of about 400, had been transferred to Ojo Caliente late in the summer of 1874, Thomas was succeeded as agent in October by John M. Shaw, who shouldered his new task in the spirit of Colyer. He declined to have more than ten soldiers under a non-commissioned officer stationed at the agency, trusting to his own ability to handle the savages rather than leaning too heavily on the military. Aside from the chronic annoyance of the liquor traffic, he was quite optimistic about the future, visualizing the successful transformation of the Apache into a settled people, more pastoral, however, than agricultural in their economy. And the commissioner of

69. D499/73.

70. Kappler, I, 873. Fred G. Hughes to editor (*The Borderer*), 2/11/74, in D254/74. Dudley to Smith, 12/2/73, D889/73. Dudley to Smith, 5/11/74, D566/74.



Indian affairs stated that the Ojo Caliente agency was to be permanent.<sup>71</sup>

Conditions on the whole were favorable for the success of the new reservation and plan of management.

Although it cannot be positively asserted that there are no hostile Indians in New Mexico, nor that some of these, now quiet, may not hereafter cause trouble, yet it may be reasonably inferred from the peaceable disposition at present generally manifested by the tribes both in New Mexico and Arizona, that hostilities and difficulties to any serious extent in either of these territories are not likely to occur."<sup>72</sup>

This happy note was echoed by the territorial governor the following year: there had been no murders within the past four years (not literally true), men could travel in safety, and the flocks and herds of the people had increased; "This blessing of profound peace we deeply appreciate."<sup>73</sup>

But into this Garden of Eden an insidious serpent had crept. Some people were not willing to let sleeping dogs lie. Even while the change from Tularosa to Ojo Caliente was being worked out, the suggestion had been advanced that the Cochise band on the Chiricahua reservation should be brought northward to this new location to keep them from potential future raids into Mexico and provide them with a suitable farming area, and the idea was also broached of locating all the Apaches on the San Carlos reservation, the same idea of concentration that had run all through the course of Indian management in New Mexico.<sup>74</sup> Dudley had been authorized at one time to interview the former terror of the Southwest to that end, but with the admonition that

71. Thomas to Smith, 8/31/74, C. I. A., *Annual Report*, 1874, p. 310-311. Shaw to Smith, 9/1/75, *Ibid.*, 1875, p. 334-35. Shaw to Smith, 11/30/74, S1134/75. B. I. C., *Annual Report*, 1875, p. 96. And see LB 120, p. 343. Smith to Delano, 12/16/74, RB 25, p. 259.

72. Clum to W. H. Hart, 9/7/74, LB 120, p. 128.

73. New Mexico, *Executive Records*, 1867-1882, p. 227.

74. Dudley to Smith, 6/30/74, C. I. A., *Annual Report*, 1874, p. 301-302. See also T405/74.

"In view of the many disappointments which Cochise has experienced in his dealings with white men, it is very important that there should be strict observance of this caution;" namely, that no definite promises should be made until the Ojo Caliente site was finally approved.<sup>75</sup>

In the spring of 1876, the era of peace approached an end due to two factors, the financial failure of the government to provide for the Indians at Ojo Caliente, and the final decision to remove the Cochise band to the San Carlos Reservation in Arizona. Shaw was instructed in February to contract for no more beef for rations and to discharge the agency employees at the close of the fiscal quarter. The agent immediately protested, and justly so, that his charges would return to their old life if not fed. In April he wrote: "My Indians are distressing me with their cries of want and suffering for food; what shall I do to prevent an outbreak among them."<sup>76</sup> A question that did not receive an immediate reply: "What I can do I do not know, I hear nothing from my strong appeals for assistance and instruction."<sup>77</sup>

The Indians remained hopeful for about a month that full rations would again be issued, then they began to leave the reservation. Also, at this time, April, the Chiricahua Indians were moving northward to locate at Cañada Alamosa, refusing to accept the decision to remove them to the San Carlos reservation. In the face of this crisis the district commander, Hatch, and Inspector Kemble of the Indian bureau started for Cañada Alamosa to handle the situation. Troops were concentrated more rapidly than usual due to the introduction of the telegraph and it was planned to intercept the old Cochise group before they reached their destination.

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75. Smith to Dudley, 5/15/74, LB 118, p. 43.

These instructions were soon after revoked, but the idea was not abandoned. LB 116, p. 461.

76. Shaw to Smith, 4/15/74, S330 76. Shaw to Elkins, 3/29/76, E45/76. Shaw to Smith, 3/29/76, S270/76, and 4/6/76, S335/76.

77. Shaw to Smith, 4/17/76, S337/76.

Hatch arrived at the reservation on the 20th and found conditions conformed to Shaw's warnings. The Indians that had not left were armed and in a defiant mood. No beef had been issued for four weeks and they considered that relying on their own efforts for subsistence was preferable to starving under governmental supervision. Both the military authorities and Kemble authorized the purchase of beef to keep them under control and the Indians postponed their departure for the time being. But as a more permanent solution of the difficulties, a new proposal was advanced by Hatch; namely, that they should be disarmed and dismounted to make impossible any return to their former nomadic existence, forced to work, and kept under a close surveillance by a daily count and issue of rations. There was little game left to hunt so that they had no real need of firearms or horses. The idea was not carried out at the time and the logical corollary to such measures, scouting parties to drive in the deserters, was postponed temporarily. The officials were still fearful that strong arm measures might result in a general exodus to Mexico.<sup>78</sup>

With matters at Cañada Alamosa temporarily straightened out, the plan to prevent the southern group from coming to the reservation was not accomplished. Those Indians drifted in gradually during June and July to the number of 135. Shaw was confident that he could manage them although they showed signs of not having been subject to much restraint by their former agent. In the face of a *fait accompli* the Washington officials decided to let them remain, having had apparently no conclusive reason for ordering them sent to San Carlos in the first place.<sup>79</sup>

During the summer and early fall conditions were not settled. Supplies were uncertain, and when rations were issued they were apt to be transferred illegally to the post trader. Scouting parties were in the field and the military

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78. Hatch to Pope, 4/16/76, W569/76. Sheridan to Townsend, 4/25/76, W499/76. Shaw to Smith, 5/8/76, S397/76. Hatch to A. A. G., 5/20/76, W703/76.

79. See S486/76, S530/76, S574/76, S594/76, I689/76, and RB 28, p. 277.



were tempted to invade the reservation when on a hot pursuit; a possibility that actually happened in September. The more lawless element in this frontier region considered the Indians legitimate prey and at least once raided their stock. And again the agent was changed; Shaw resigned in June and his successor, James Davis, assumed charge in October.<sup>80</sup>

The new agent soon found his hands full. The corn issue was discontinued to prevent the manufacture of *tizwin*, and beef was issued in chunks rather than on the hoof to prevent sale. In order to make possible the orderly issue of rations and to count the recipients he requested a company of soldiers for the reservation, also recommending that the Indians be disarmed and dismounted. The military were willing to afford all necessary protection, and heartily favored the disarming policy, but declined to station so many troops at Ojo Caliente; all available forces were needed for scouting, and stationing troops close to Indians had always been a source of evil.<sup>81</sup> However, the former plan was being revived for the disposal of these Indians: they were now to be removed to the San Carlos reservation.<sup>82</sup>

Agent Clum of the Arizona reservation was given discretionary powers in April, 1877, to carry out the new program. Accordingly, on May 1, the whole group, to the number of 453, started on their pilgrimage under the close supervision of troops and Indian police from San Carlos.<sup>83</sup> But "They might as well attempt to whistle down the wind as to keep mounted and armed Indians on a reservation"<sup>84</sup> against their will, or even unarmed Indians, for a majority

80. D659/76, S717/76, S752/76, S838/76, S587/76, D44/77.

81. Davis to Smith, 12/2/76, D639/76. Hatch to A. A. G., 1/10/77, W142/77. Davis, Report, 45 Cong. 2 sess. Hse Ex. Doc. 1, VIII, 558 (1800).

82. "The whole Indian trouble follows naturally from the vacillating course pursued by high Indian officials, and the fraud notoriously practised by the under representatives of the Indian ring." *Silver City Herald*, in *Weekly New Mexican*, 10/2/77.

83. Smith to Clum, 4/17/77, LB 136, p. 77-78. Clum to commissioner, 9/18/77, 45 Cong. 2 sess. Hse. Ex. Doc. 1, VIII, 430 (1800).

84. Governor Axtell, in New Mexico, *Executive Records*, 1867-1882, p. 324.

of Clum's new charges proceeded to desert on the grounds that being unarmed they were abused by the other Indians there. Whatever the motive, they left and wandered over the Navaho reservation seeking a haven and the military took them in charge as undesirable prisoners of war.<sup>85</sup>

An army escort took them back to Ojo Caliente in November, there to remain until further plans could be made for their disposal. They were forced to surrender their ponies and submit to a daily count when rations were issued. In February, the commission of Indian affairs recommended that they be removed to Fort Sill, Indian Territory, because of the high cost of beef and the general expense of maintaining the agency. The military vigorously opposed this plan on the ground of the inadvisability of mixing too many different Indians on one reservation, the old Steck point of view. While this conflict of opinion was being resolved, the army grew tired of the responsibility of caring for the savages and insisted that the Indian bureau take them over. Sheridan even threatened to turn them loose if action was not taken. Consequently, in the summer of 1878, the war department was requested to turn them over to the agent and provide a small escort for a second removal to the San Carlos reservation.<sup>86</sup>

The final decision to remove them to San Carlos again met with an obstinate refusal, particularly from those who followed Victorio. They fled to the mountains and the military were sent after them in full force. Under pressure from their pursuers some of the fugitives sought peace and protection at Fort Stanton and in the summer of 1879 Victorio and his followers did the same. The civil agencies also

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85. Whitney to Hayt, 11/30/77, S1465/77. Captain Horace Jewett to A. A. G., 10/11/77, W1097/77.

"The Apaches in Southern New Mexico are precisely what they always have been, and in my opinion, always will be, squalid, idle vagabonds, utterly worthless and hopeless." John Pope, *Report*, 9/15/77, 45 Cong. 2 sess. Hse. Ex. Doc. 1, II, 61 (1794).

86. Whitney to commissioner, 11/10/77, S1325/77. Hatch to A. A. G., 11/21/77, W1238/77. Hayt to secretary of interior, 2/2/78, RB 30, p. 97; and 7/23/78, RB 31, p. 84; 2/4/78, RB 30, p. 102. Schurz to secretary of war, 7/18/78, I1234/78. See also W332/78, W463/78.

swung into action and Victorio was indicted in Grant county on three counts, a judicial move that was a factor in leading him to again take to the hills. But there was no let up on the part of the military to force them all onto a reservation, and the end was soon drawing near for the southern Apache as far as the territory of New Mexico was concerned. One last bid was made by them for a peaceful solution to the disagreement over their permanent location, but the bureau of Indian affairs rejected it: "It is desired that the military authorities should dispose of them without interference from us." The Indians would probably have accepted a reservation at Ojo Caliente, but San Carlos never. In desperation they sought safety in Mexico, in the fall of 1880, but the army there was on the alert and just as hostile as the Americans. On October 14, the Indians were surrounded in the Castillo mountains and nearly wiped out.<sup>87</sup>

The struggle was a costly one. "During Victorio's Indian raidings over 300 lives of our citizens were sacrificed, and horrors untold, perpetrated upon helpless women and children, millions of property destroyed, business paralyzed and immigration retarded . . . this is no tale of fancy . . . it is all true."<sup>88</sup> The final roundup of the Gila was yet to be accomplished, but their home was not to be in New Mexico.

### CONCLUSION

The reservation policy, first applied in New Mexico with the abortive attempt made by Steck to locate the southern Apache at Lucia Springs in 1860, was carried to completion about 1880. Despite sundry attempts to move the nomadic Indians in New Mexico to reservations distant from their native haunts, the government policy failed, and the Indians now live in their traditional homeland: the Navaho were located in northwestern New Mexico and northeastern

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87. Brooks to Russell, 3/1/80, LB 154, p. 308. Russell to commissioner, 10/18/79, R771/79. Andrew Kelley to secretary of interior, 1/20/80, K135/80. Pope to Sherman, 3/25/80, W625 80. Joaquin Terrasas to Buell, October, 1880, W2360/80.

88. W. G. Ritch to S. J. Kirkwood, 8/22/81, ?



Arizona, the southern Ute in southwestern Colorado, the Jicarilla Apache in northcentral New Mexico, and the Mescalero Apache in southcentral New Mexico. The Gila Apache were eventually located in Arizona.

The reservation policy was adopted with the idea that segregation of the Indians from the white man was essential for their preservation, and that the occupation of the Indian country by the miner and settler was inevitable. The advance of the mining frontier was especially apparent in the case of the Capote and Wiminuche Ute, and the Gila Apache. The settler was the prime factor in regard to the removal of the Jicarilla Apache and Moache Ute, and to a lesser extent in the roundup of the Mescaleros. The basic cause for the drastic treatment of the Navaho is to be found in the generations of chronic depredations on the settlements in the Rio Grande valley. The interest of the miner and farmer in the Navaho country was prospective, rather than actual, and played little part in the final disposal of those Indians.

The gradual carrying out of the reservation policy was marred by a confusion of interests and motives. The government plans were based on the instinct of the humanitarian and marked by the callousness of the realist. Some men in positions of responsibility had a genuine interest in the welfare of the Indian, and looked toward his eventual civilization; others, motivated by the practice of the spoils system in American politics, profited from their position to the fullest possible measure; the settlers were usually content to be free from the annoying proximity of the Indian, since inadequate government supplies and a diminishing supply of game made the nomad seek support from the wealth of his white neighbors.

The government machinery for dealing with the Indians was faulty to an extreme, and creaked and groaned with discordant notes produced by lack of harmony between the departments and the knavery of some of the agents. A division of responsibility between departments was adhered to in theory throughout the period of two decades. On this

basis the military were supposed to deal with hostile Indians and the Indian bureau with peaceful Indians. In actual practice the military were in complete charge for a short time during the Civil War, and until November 1, 1867, in the case of the Navaho. This was an unwanted responsibility, although there were some who favored turning the whole of the Indian management over to the military. The period of army control was ushered in with the determination to solve the Indian problem once and for all, and was continued for several years, due to the failure of the civil department to assume charge at the Bosque Redondo.

The process of turning the nomad into a settled farmer was made more difficult, and resulted in some unnecessary suffering on the part of the Indian, on account of the spoils system, and the weakness for speculation which was prominent in the post-Civil War period. The sums of money appropriated by congress were not very generous, and their remedial effects were considerably lessened by the dishonesty of officials and the unscrupulousness of traders. Inferior and unnecessary articles were often purchased, and perhaps as often traded off for a drink of whiskey. The exact difference between the amount appropriated and the value of the goods actually consumed or utilized by the Indians is not known, but in view of the chronic complaint about starving, naked, and drunken Indians, the margin must have been very wide.

The peace policy of President Grant was based on a worthy motive, but it produced little tangible results in New Mexico. The appointment of agents on the recommendations of the various church denominations did not immediately raise those officials above the suspicion of abusing their trusts. Nor did the economic and moral status of the Indian show much improvement in the 1870s.

The outstanding event in Indian management in New Mexico was the Bosque Redondo experiment. The transplanting of about 8,000 souls, from one environment to another, was an herculean task and, if successful, would have

given the history of New Mexico a different turn. About 45,000 Indians, as the Navaho number today, would have made considerable inroad into the Pecos valley territory now occupied by farmers and cattle raisers with Democratic party tenets struggling for control of the state government, in opposition to the more Republican minded people in the Rio Grande valley. And the experiment might have succeeded, if the superintendent of Indian affairs had not already formulated set plans for the establishment of the Apache on the Pecos river. The unfortunate controversy between Carleton and Steck was the first major obstacle to success, because it sowed the seed of doubt as to whether the project should be continued or abandoned, which prevented whole hearted support by the government.

The motive of Carleton in removing the Navaho to the banks of the Pecos was worthy, but the plan had a basic weakness. It did not take into consideration the inherent difficulty, or almost impossibility, of changing the character of a people overnight. The plan to transform the Navaho into farmers, and settle them in villages after the manner of the Pueblo Indians, ignored too much their traditional economy and habits. Although they cultivated the soil to a limited extent, they were and have remained a pastoral people. More attention to restoring their flocks of sheep, and greater utilization of their native abilities in making clothing, would have greatly eased the pain of transplantation, because material prosperity brings contentment.

The application of the reservation policy to the nomadic Indians in New Mexico, was marked by the same confusion of good intentions and harshness of treatment that has characterized the policy of the whites toward the Indians throughout the history of the United States. This was fundamentally due to the fact that an aggressive, expanding nation of civilized people, seeking a new homeland, came into contact with a primitive people who claimed ownership of a territory of great natural wealth. The wide differences in customs, manners, and temperament that existed between



the two groups, made a peaceful adjustment of their respective interests impossible in all instances. The stronger naturally overwhelmed the weaker, and, unfortunately, justice was not always rendered in the process.

*(The End)*

## A SHORT HISTORY OF THE MESILLA VALLEY

*By* P. M. BALDWIN

**H**ISTORY is too often thought of as being played only on a big stage, with nationally known characters for the actors. But human achievements have been, in the main, the work of many individuals of humble rank. Fully to understand the processes of history we must study the flow of life in the small communities, which are the cells of the national organism. Hence, no apology is needed for a brief article on the local history of Mesilla Valley and vicinity. The region included will be that part of the valley of the Rio Grande lying between Elephant Butte dam and the city of Juárez, Chih., Mexico. It forms portions of Sierra and Doña Ana counties in New Mexico, and El Paso county in Texas.

We know exceedingly little of the earliest inhabitants of this valley, yet the remains of Indian villages over by the San Andrés Mountains, northeast of Las Cruces, prove that people were settled here hundreds of years before the coming of the Spaniards. They were, perhaps, similar in culture to the pueblo Indians in the northern part of the state today. Why they left we can only conjecture; perhaps because of a change of climate, perhaps owing to incursions of more warlike, non-agricultural tribes.

The first white men who entered the Mesilla Valley were probably the party of Friar Augustín Rodríguez in 1581. The earlier explorers had crossed what is now Arizona and New Mexico from the west. The route opened up by Rodríguez, namely, down the Conchas to the Rio Grande and then up the valley of the latter river, was more direct than the older way and was afterwards trod by the feet of most of the explorers, soldiers, missionaries, traders, and settlers who came to New Mexico from New Spain.

In the early days, however, nobody tarried in the Mesilla Valley but merely passed through on the way to the settlements farther north, which were isolated from the frontier mining towns of New Biscay by six hundred miles of uninhabited wilderness.

The first step towards filling up this long gap came with the founding, in 1659, of the mission of Guadalupe del Paso, in what is now Juárez. The corner stone of the church was laid in 1662. In 1680, the El Paso district received an influx of settlers from the north. These were refugees from Santa Fé, Isleta, and other places, who had survived the Pueblo rebellion and the wholesale massacre of white settlers with which it began. For over a decade El Paso was the most northerly outpost of Spanish civilization. In 1693, however, Santa Fé was recaptured by De Vargas and the seat of the provincial government re-established there.

The route between El Paso and the northern capital was a hazardous one. Indians made the trail unsafe for any but well-armed and vigilant caravans. In 1770, a presidio was established at Robledo (near modern Fort Selden) for protection against the Indian marauders. North of that point lay a waterless stretch of ninety miles, grimly called the Jornada del Muerto, or "journey of death." No attempt at agricultural settlement in the Mesilla Valley was made as yet, probably because of the Indian menace. About once a year a slow caravan passed through on its way to Santa Fé, and, after two or three months in the north, returned. Between its coming and its going, the valley was as deserted as the Jornada itself.

The first recorded attempt at settlement came in 1805 by Don Antonio García, of El Paso. He proposed to work a silver mine in the Organ Mountains and to keep the Apaches at peace by growing crops for them over by the river. Nothing appears to have been done until about 1819 when the mine was worked for a short time in a crudely primitive way and the ore was conveyed by burros to a wasteful smelter situated near the later site of Fort Fillmore. However, the



Apaches took the crops without asking, attacked the mine, and soon compelled the abandonment of the settlement. In later times the García grant was purchased by Hugh Stephenson, of El Paso, and the mine was re-opened. It is now known as the Bennett-Stephenson mine.

In 1822, a Missourian named John Heath obtained a grant of the Brazito tract from the emperor, Iturbide. Had this grant been confirmed by the emperor's successors, John Heath might well have become the Moses Austin of New Mexico. He organized a colony of artisans and farmers, purchased a quantity of implements and supplies, but was refused permission to proceed to his grant. After the American occupation, his son endeavored to obtain possession of the Brazito tract, but his claim was disallowed.

It was not until 1843 that a successful and permanent settlement was planted in the Mesilla Valley. This was the Doña Ana Bend colony organized by Don José María Costales, who, in 1839, had obtained from the governor of the state of Chihuahua a grant of land about twelve miles long on the east side of the river. The colony consisted of 107 men, 59 women, 48 boys, and 47 girls. Each head of a family was to be granted a plat of rather more than one hundred acres and single men half as much. The hardships were great and the Apaches were so troublesome that in 1844 many of the settlers left. A few remained, however; some returned, and the colony stuck. In 1846, during the Mexican war, when Doniphan's Missouri volunteers came through, after a terrible three days' crossing of the Jornada, they found at Doña Ana "plenty" of grain, and other forage for their animals, running streams of water, and an abundance of dried fruit, cornmeal, and sheep and cattle."

Having found provision for his troops at Doña Ana, Doniphan continued his way southward to coöperate with General Wool in the conquest of Chihuahua. At about 3 p. m. on Christmas Day, 1846, while Doniphan's forces were engaged in pitching camp near the Brazito, a "little arm" of the Rio Grande now dry and partly obliterated,

situated not far from the present village of Mesquite, an unusual cloud of dust was observed approaching from El Paso. Presently the plumes and banners of a body of Mexican dragoons were plainly visible. The American soldiers, dashing down loads of wood and buckets of water, came rushing to answer the assembly call. The Mexican cavalry, dressed in blue pantaloons and green coats trimmed with scarlet, with swords and lances glittering in the sun, doubtless made a more imposing military display than the buckskin-clad Missouri volunteers opposed to them. Before the battle began, a Mexican horseman, bearing a black flag, rode up and summoned the American commander to appear before the Mexican general. Receiving a derisive reply, he warned the Americans to prepare for a charge and galloped back. The Mexican charge was repulsed by the accuracy of the American fire. An infantry attack was likewise broken by the steadiness of the men under Doniphan's immediate command, who reserved their fire till the enemy advanced within sixty paces. The volley that then rang out wrought such fearful execution that the attack crumpled and the Mexicans were soon in confused flight towards El Paso. The Americans had only eight men wounded, none killed. The Mexican loss was 43 killed, 150 wounded, and five taken prisoner. There was a large booty and the victors regaled themselves with bread and wine captured from the enemy. On the following day, the American forces proceeded to El Paso, which was entered on the 27th of December without opposition.

After the signing of the treaty of Guadalupe Hidalgo, which ended the Mexican War, some of the inhabitants of New Mexico, who did not wish to become American citizens, moved across the Rio Grande. A colony of these people established the town of Mesilla, then on the west side of the river, and which was thought to be within Mexican jurisdiction. But it was not long before a controversy arose over this point. According to the treaty, the international boundary, from the Rio Grande westward, was to be the southern

boundary of New Mexico, as shown in a "Map of the United Mexican States," published in New York in 1847, by J. Disturnell. But when the surveyors attempted to determine the line on the ground, it was found that the map was very inaccurate. It placed El Paso 30' too far to the northward and both the city and the river were over two degrees to the east of their actual position. However, the commissioners, Bartlett and Condé, agreed on the parallel of 32° and 22' for the boundary, which would have left Mesilla clearly in Mexico. Partisan activities in Washington wrecked this settlement and Bartlett was dismissed; in fact, a number of changes in the personnel of the boundary commission were made and at one time congress left it without funds to carry on its work. In the meantime, William Carr Lane, governor of New Mexico, issued a proclamation claiming jurisdiction in the disputed region. Ángel Trias, governor of the state of Chihuahua, prepared to resist Lane's claim by force of arms. It looked as if the United States and Mexico might be again drawn into war, and the little town of Mesilla, the bone of contention, became familiar to newspaper readers in both countries. However, Lane was recalled and James Gadsden was sent to Mexico to negotiate a new boundary and one that would give an advantageous route for a transcontinental railway entirely on United States territory. Gadsden was successful in negotiating the treaty which bears his name, and which was signed at Mexico City on December 30, 1853.

The new territory acquired under it was added to Doña Ana county, which was one of nine counties organized by the first territorial legislature. It was large enough to be a state, as it stretched from the present eastern boundary of New Mexico clear across to the Colorado river at Yuma.

Although the main object of the Gadsden purchase had been to obtain a desirable route for a railroad to the Pacific, it was to be a generation before this aim was realized. An overland stage, however, began to operate in 1857, carrying mail each way twice a month from San Antonio to San



Diego. In September the following year the Butterfield stage from St. Louis to San Francisco made its initial trip. The service at first was twice weekly, later daily. The long ride of 2,760 miles was covered in twenty-five days and the schedule was nearly always maintained. Mesilla was an important post on both these stage routes. The traffic through the valley, which flowed north and south in Spanish and Mexican times, was now diverted mainly to an east and west direction.

It was during the fifties that Forts Selden and Fillmore were established to protect settlers in the valley from the Apaches and Comanches. The latter fort was named after Millard Fillmore who was president of the United States when New Mexico became a territory. When the Civil War broke out, a force of Union soldiers was stationed here, under the command of Major Lynde. When Colonel Baylor, of the Confederate Army, invaded New Mexico, Lynde evacuated Fort Fillmore and started for Fort Stanton, in the Pecos Valley. He was overtaken by Baylor near the Organ Pass and there surrendered. Baylor had already occupied Mesilla and now, on August 1, 1861, issued a proclamation setting up a territory of Arizona, to be attached to the Confederate States. Mesilla was to be the capital of this territory. Southern New Mexico remained in the hands of the Confederates until May of 1862.

The Civil War affected the Mesilla Valley in a number of ways, most of them unfortunate. After the war, political passions naturally ran high, and in 1871 an election riot occurred in Mesilla, in which nine men were killed and between forty and fifty wounded. In those "wild and woolly" days, the judge decided it would be dangerous to do any investigating and nobody was ever punished for the disturbance. But both sides had had enough and there was no further bloodshed.

It may seem strange to blame the war for the disastrous floods of 1862 and 1865, which resulted in the Rio Grande changing its course and putting the town of Mesilla on the

east side of the river. Yet, it was probably more than a chance coincidence that this occurred during the war period. During the spring freshets, the river had often threatened to break through at the intake of a big irrigation ditch on the west side. It had been kept back by vigilant labor on the part of the settlers. But now when war reduced the manpower and money available for peaceful objects, the river seized its opportunity and in 1865 made a mad rush through the weakened ditch-head and cut itself a new and shorter channel down the valley.

Another and more terrible enemy likewise found an opportunity in the Civil War. The pre-occupation of the white men with their own quarrel left the garrisons that had restrained the Indians unmanned. They soon took the war-path and, even after the Union had re-established its authority, were a terror to the settlers for many years. Not until 1886 were the last of the hostiles overcome.

The Civil War also delayed the entry of a railroad into this region. Even the stage lines were interrupted, not only by the War itself, but by the Indian troubles that followed it. In the seventies, freight was brought in by wagon train from Trinidad, Colorado, then the terminus of the railroad. But the best and easiest of the transcontinental routes could not remain neglected. In 1881, the last spike of the main line of the Southern Pacific was driven at Deming and at about the same time a branch line of the Santa Fe down the Rio Grande Valley from the north reached El Paso. As this line avoided old Mesilla, Las Cruces presently became the chief business center and the county seat of Doña Ana county.

Perhaps the most curious episode in local history was the establishment of the Shalam colony. It originated in the fertile brain of Dr. John B. Newbrough, of Boston, a tall, handsome, well educated man of magnetic personality. This man had written a new bible entitled Oahspe.\* It is an

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\*Copies are in the library of the New Mexico Historical Society and in the library of the New Mexico College of Agriculture and Mechanic Arts.

extraordinary tale of celestial politics, which could have been conceived only in a Yankee mind. In it was told the story of how Kriste, having defeated his two rivals, Brahma and Buddha, called a convention which adopted a code (the Bible), and then proceeded to the election of a god. After the balloting had continued one year and five months, five candidates were still in the running. A deadlock of seven weeks then ensued, when the matter was referred to the angels, who chose Kriste, the leader of the angelic army.

Newbrough had great influence over a wealthy Boston merchant, named Howland. He persuaded Howland that God had revealed to him that he was the chosen instrument for the founding of a new colony where brotherly love should reign. Newbrough led Howland out to New Mexico, got off the train at Las Cruces, and located a tract of nine hundred acres, on which a colony was in fact founded. It was incorporated December 30, 1885, as the "First Church of the Tae." The sect was known as the "Faithists." The society was communistic, agrarian, humanitarian, and vegetarian. Howland sank his fortune into excellent buildings and stock. A coöperative store was established. A pump irrigation plant was erected. The most notable achievement was a model infants' home. Financial failure wrecked the colony, however, and it broke up in 1901, when the disciples lost a suit to recover money they had paid.

Since the advent of the railroad, the story of the Mesilla Valley has been mainly one of peaceful economic and cultural development. The removal of the soldiers from the forts as the Indian troubles vanished deprived the farmers of a valuable local market but, on the other hand, the railroad relieved them from dependence on a market entirely local. With a fertile soil and a good climate, the chief difficulty was the control of the unruly Rio Grande, which alternated between flood conditions and its almost complete drying up in time of drought. The only remedy was the construction of a big dam that should hold its waters in check. In the '90s Dr. Nathan Boyd, of Las Cruces, got



some English capitalists interested in building a dam at Elephant Butte and Col. W. J. Engledue, for many years identified with irrigation works in India, came out and reported very favorably on the project. A company was incorporated and work started. After \$250,000 had been spent upon it, a suit instigated by a coterie of real estate speculators in El Paso and Juárez, was brought by the United States government to enjoin the company from proceeding with the work, on the absurd ground that the Rio Grande was a navigable stream. Another objection urged was that the rights of Mexico in the water would be prejudicially affected. This suit held up development for many years. Finally, the project was taken up again by the Reclamation Service of the Department of the Interior. It was completed in 1916, at a cost of \$5,246,000. It created the largest artificial lake in the United States and gave to a wide area of fertile land in New Mexico, Texas, and Chihuahua, security from drought and, in a large degree, from flood. Recently, a secondary storage dam has been constructed at Caballo. This will make possible the development of hydro-electric power at Elephant Butte, the sale of which will be used to liquidate the construction charges on the original dam.

Educational progress has kept pace with the economic development. Doña Ana county has a fine system of public schools and three high schools at Las Cruces, Anthony, and Hatch. The New Mexico State College, which grew out of the Las Cruces College founded in 1888 by Hiram Hadley, has grown to a flourishing institution giving excellent courses in agriculture, engineering, arts and sciences, business administration and home economics. It is accredited as a four-year college by the North Central Association of Colleges and Secondary Schools. In connection with it are an extension service that serves the farmers and homemakers of the entire state, and an agricultural experiment station that performs valuable research for farmers and stockmen.

From this brief article many interesting events have necessarily been omitted. Its purpose has been served if it has convinced readers that local history is worth preserving. History becomes more real when we see it as the achievements of our neighbors and ourselves, and of our immediate forebears, people whom we have known or whose friends and relatives and descendants we know, whose influence touches our life intimately, whose motives and strivings we readily understand and appreciate. The history of a small community such as that in the Mesilla Valley is a record of the struggle of obscure, industrious, brave, and patient men and women against harsh frontier conditions and their gradual subduing to the uses of civilization. Thus, it is a stanza in the national epics of the American people.

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PICTURESQUE NEW MEXICO REVEALED IN  
NOVEL AS EARLY AS 1826

ONE HUNDRED and eleven years ago appeared what is presumably the first novel written in English with a New Mexico setting. This practically unknown book, *Francis Berrian*, which is in three volumes, was written by Timothy Flint in 1826, and was first printed in London by A. K. Newman and Company.

The author, who was born in North Reading, Massachusetts, in 1780, graduated from Harvard in 1800. After studying theology two years, he became pastor of a Congregational Church at Lunenburg, Massachusetts, a pastorate which he held twelve years. Because he spent much of his time in his chemistry laboratory, he was accused by his simple and unlearned neighbors of counterfeiting. Subsequently, for this and political entanglements, he resigned in 1814, and for the next ten years he did missionary work in the Mississippi Valley. His experiences in this region are vividly recorded in his *Recollections of the Last Ten Years Passed in the Valley of the Mississippi* (Boston, 1826). This is one of the first early books advertising the opportunities of the Middle West. So popular was the book that there was a reprint of it in England, and also a French translation appeared.

About 1825 Flint returned to the East in a futile effort to regain his health. *Francis Berrian*, his best book of fiction, was likely begun on this return trip, for it was published the following year. Flint was editor of the *Western Review Magazine* in Cincinnati from 1825 to 1828, and of *Knickerbocker's Magazine* in New York in 1833. He died in Salem, Massachusetts, in 1840.

Other works of this adventurous writer are: *A Condensed Geography and History of the Western States or the Mississippi Valley* (2 vols., 1828); *Arthur Clenning* (1828), a novel; *Indian Wars in the West* (1833); and *Memoir of Daniel Boone* (1834).

In *Francis Berrian*, the hero of the story, a young man, "fine looking and dignified," relates his experiences in New Mexico, in Texas, and in Mexico. The setting at the beginning of the book is at Santa Fe, and, according to the story, the young man rescued "a damsel of exquisite beauty," who had been captured by a band of Comanche Indians. The "distressed damsel, . . . the only daughter and child of the Conde Alvaro, Governor of Durango, and superintendent-general of the Mexican Mines," later becomes the bride of the hero, Francis Berrian.

Flint describes very picturesquely, if not wholly accurately, a journey made by the Alvaro family from Santa Fe, New Mexico, to Durango, Mexico, near the west coast.

We were awakened at three in the morning by the ringing of bells, the blowing of bugles, and the noise and bustle of preparing for the journey—The array was soon in marching order. The band struck up a slow and solemn march—almost a funeral strain—a Spanish martial air of parting—The morning dawned upon us, as we came upon the Rio Del Norte, at the Parso. The river is here of very considerable width, but white with its furious dashing among rocks. The scenery is most whimsically and delightfully wild and romantic—The alluvions of this noble and romantic river are covered with vines, from which is made the delicious wine of the Parso. Husbandry is here managed by irrigation. In this arid soil and burning climate, there is, in a landscape vivified by irrigation, a charm, which no language can paint—Each garden and patch had its own little rill, of the most limpid water. The verdure, the prodigious grandeur and strength of the Vegetation, contrasted so much the stronger with the red, sterile, and scorched hills, by which we descended to this alluvion. At this place we had more of the bustle of the militia parade. Our morning militia left us here, and returned to Santa Fe, and was replaced by new troops from the vicinity of the Parso. We halted in this village for breakfast—The country between the Parso and Durango was sufficiently pleasant,

though destitute of the wildness and sublimity of the country in the vicinity of the Comanches— We passed through Chihuahua, and Mont el Rey, considerable towns—It was high noon when we entered the city of Durango, whose spires I had seen glittering in the distance for some leagues.

From this description it is evident that the author's knowledge of the country was deficient. From Santa Fe to Parso evidently Passo (El Paso), would have required several days' traveling in 1826, and not a few hours' time the author states, which could be done only in the modern airplane. Presumably by Mont el Rey Flint had in mind Monterrey, in the eastern part of Mexico, a city which would be considerably out of the way in going to Durango from Santa Fe.

We also note the author's description of the Rio Grande, a river "of considerable width, but white with its furious dashing among rocks." Had the author omitted the latter part of the description, he would have been much more convincing.

The irrigation, arid soil, and burning climate, which Flint mentions, are typical today of certain sections of the State of New Mexico. Furthermore, he speaks of the "charm of landscape which no author can paint." This, also, is true of the Sunshine State.

Assertedly not photographing real people, the characters in this novel are much too stilted to become permanent characters of fiction. The hero, Francis Berrian, is artificial and of the knightly type. In very glowing terms is the heroine of the novel, dona Martha Miguela d'Alvara, described.

The author's strength, I think, lies not in his power to depict character nor in his ability to tell a story, but in his colorful style that is interesting in its unusualness. *Francis Berrian* belongs in the category of rare books; there are only a few copies known to be in existence in the United States.

On the whole *Francis Berrian* is an entertaining book and gives us glimpses of New Mexico in the early part of the



nineteenth century. There is in Flint a love of manly action and a freshness of imagination which compel attention. This is a memorable book, not that it is a great contribution to creative literature, but that it is presumably the first novel written in English about New Mexico.

LENNIE MERLE WALKER.

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## BOOK REVIEWS

*Bosquejos históricos.* By Vito Alessio Robles. (Mexico City, 1938; 467 pp., index.)

In a brief foreword, the author states: "In this volume have been brought together articles and addresses of mine, selected from among those which contain historical data or which may be considered as contributions meant to aid in apprehending the truth or to correct facts which, through lack of documents or through malice or merely through laziness, have been falsified in our much abused history. The topics vary widely and embrace epochs quite distinct. They are published in this volume in order to bring them forth from the heap, and from the scattered places in which they were to be found."

Some of these historical papers are reminiscent of various books by Sr. Alessio Robles with which our readers are already familiar. But to many friends of this Mexican historian, more especially those north of the Rio Grande, others of the papers will be entirely new. For example, this author and a cultured friend visiting Mexico City express themselves (in dialogue form) regarding the Mexican state shields which Diego Rivera painted on the walls of the Secretaría de Educación Pública. Their opinion was decidedly unfavorable! Whatever the intrinsic art value of these murals, others will agree that they cannot endure because they disregard and pervert historic evidence.

Research workers will be interested in the information afforded about the various archives of Mexico which will be found in the eight papers which are grouped together at the end of the book.—L. B. B.

*Extracts from the European Travel Journal of Lewis H. Morgan.* Edited by Leslie A. White, Associate Professor of Anthropology, University of Michigan. (Reprinted from Volume XVI of the Rochester Historical Society Publica-

tions, Rochester, New York. 1937. With frontispiece portrait of Morgan and reproductions of several of his drawings. 390 pp.

As a travel volume as well as a social-political commentary by a renowned American anthropologist and sociologist on conditions in western Europe at the time of the Franco-Prussian war, 1870 and 1871, it is most interesting and even fascinating. Morgan had already won fame at home and abroad when he set out with his wife and only son on a European journey during which he met and conversed with famous people including such scientists as Huxley, Darwin, Lubbock, Maine, etc. Morgan filled six note books with his daily impressions and the incidents of 133 days spent in Great Britain, 170 days in Italy, 12 days in Paris and brief sojourns in Germany, Austria, Switzerland, Belgium, and Holland. Particularly interested in architecture as a significant feature of social development, he measured buildings and closely examined details of their plan and structure. His comments on social conditions would be called radical even at this day but obviously lack perspective and depth. He shows himself singularly prejudiced against the Roman Catholic hierarchy, and commends "public sentiment against the existing order of things" wherever he went. In London he wrote: "The workingmen will have to rise upon the merchants and traders as well as the aristocrats and push them out of the way in one body." For England he advocated "a system of taxation upon real and personal property, with discriminations in the amount of taxation against entailed estates, and pay with the proceeds the national debt. Twenty-five years ought to be time enough to wipe it out. This would be an amazing relief to the industry of the country." Morgan comments on English foreign policy in seeking to justify the Commune in Paris in 1871: "A working man's government finds no sympathy in aristocratic England. The 'gentleman of the pavement' must stand aside and the privileged class must ride. English sympathy is about as unenlightened as Hottentot sympathy



and perhaps more so. They are certain to get on the wrong side of all questions arising among foreign nations because they see all things from the aristocratic and nothing from the democratic standpoint." Vienna, Prague, Dresden, Berlin, Rome, Venice, Florence, Naples, Pompeii, Heidelberg, Wiesbaden, Basel, Interlaken, Milan, Antwerp, Cologne, Freiburg, Leghorn, Verona, Pisa, Munich, Versailles, pass in review through Morgan's spectacles, with lengthy comments on paintings, sculpture, domestic architecture, culture. Morgan and his family were presented to the Pope. Despite his anti-clerical views, Morgan states that Mrs. Morgan carried ten rosaries to be blessed by the pontiff. "He (the Pope) is quite gray, with a fine eye and a hearty good-natured face. He is a venerable looking man with the manners of a gentleman," continues Morgan, but refused to kneel as the others did, remarking: "I would not have done it under any circumstances, nor have kissed his hand to save his soul." Professor White has rendered a notable service by editing Morgan's *European Journal* and making it available. There is not a dull line in it and it certainly helps to understand better Morgan's viewpoint he so sturdily defended in his American studies.—P. A. F. W.

*Our Catholic Heritage in Texas, 1519-1936.* Volume III. The Mission Era. The Missions at Work 1731-1761. By Carlos E. Castañeda, Ph.D. Prepared under the auspices of The Knights of Columbus of Texas. Paul J. Folk, C. S. C., Ph.D., Editor. (Von-Boeckman-Jones Co., Austin, Texas, 1938. 475pp. Illustrated. Map. With extensive bibliography and index.)

C. E. Castañeda, Latin American Librarian of the University of Texas, has given us in this exhaustive and scholarly study of the Texas missions and incidental expeditions from 1731 to 1761, a comprehensive picture of ethnological, historical and cultural value. It does not merely supplement Dr. H. E. Bolton's "Texas in the Middle Eighteenth Century" but throws new light upon the history of the lower

Rio Grande Valley where Spanish settlements were actually established on the northern bank of the Rio Grande by 1753. For the first time are also presented the details of the first exploration of the Gulf Coast from the mouth of the Guadalupe River to the mouth of the Rio Grande, below Corpus Christi Bay, first called Bahia de San Miguel. Much additional information has been gathered from many sources not available heretofore, particularly with regard to the history of the stretch of country from the present Presidio to El Paso. It had not even been suspected that several missions were actually established, in the vicinity of the Presidio, in 1715, one year before the Ramón expedition of 1716 that resulted in the permanent occupation of East Texas. As the author states in his preface: "An attempt has been made to give a fuller picture of life in Texas. The slow growth of the Spanish settlements and missions, the gradual extension of the frontier into central and western Texas, the increasing influence of the French among the northern tribes, and the first glimpses of English designs on the province of Texas have been brought out." As in New Mexico there were bickerings between ecclesiastical and military authorities. In more than one instance the story unfolded, dovetails into New Mexico history. Interesting is the reproduction of an original sketch drawn and colored in 1746, of a map of southwest Texas, New Mexico and Nueva Vizcaya. It has the Rio Pecos flowing into the Rio de Santa Fe, which however, is named Rio de la Villa, while the mountains to the east of Santa Fe are called "Sierra de la Villa." The Province de Navajo is located north of Zuni and extending to the Rio Colorado. Moqui, however, is to be found south of Zuni, while the Apaches are designated as "Naciones de la Xila." The pueblos of Cochiti and Isleta as well as El Paso are correctly shown.

How familiar the following sounds to New Mexico historians: "Harassed by conflicting claims of the sponsors and opponents of the various plans and constantly being called upon to defray the expenses of new explorations and

investigations, royal officials of the exchequer were reluctant to grant financial aid even for those projects that have been approved." In this same connection in 1750, "every presidio in Texas, Coahuila and New Mexico was clamoring for an increased garrison. Father Santa Anna, burning with zeal for the conversion of the Apaches, was promoting with might and main the erection of a mission for these Indians, and had even urged with vehemence the abandonment of San Antonio and the removal of its presidio to the Pedernales." An eye witness writes of the smallpox epidemic among the missions in the same year: "The disease developed with such fury that when the corpses were removed from the tents, they literally fell in pieces. Undaunted by the horrors of the dreaded disease, the Padres worked unceasingly comforting the sick and baptizing the dying." At the same time it was written of the Indians: "A full stomach is the god to whom the wretched creatures pay the tribute of their hardest labors."

It is certain that every one at all interested in the Spanish Southwest will want to have this volume. As to southwestern libraries, none should be without it.—P. A. F. W.



## NOTES AND COMMENTS

Just before going to press, the REVIEW received the latest word from its editor, Professor Lansing B. Bloom, dated Rome, Italy, June 12, from which the following interesting excerpts are made:

“Foiled again,” as Conan Doyle would say. “From the Bandelier diary excerpts which Dr. Hewett sent me it is not clear where ‘Mgr. J. D. O’Connell’ was—New York, Paris, Rome or elsewhere; but I was curious to learn who he was. In the hierachic records at the Vatican Library I could find trace of no ‘monsignore’ of that period who seemed a possible answer except a ‘Denis J. O’Connell’ of whom I found a brief sketch in the *Catholic Encyclopaedia* under ‘San Francisco.’ It seems that this prelate was born in Ireland in 1849, studied in Rome at the American College, and from 1884 to 1895 was rector of this college. So I went at once to the American College (which is still going strong, right down in the old section of Rome). The vicerector, Father Babcock, told me that it always has been a very common thing for shipments to be sent to the College for delivery to the Vatican, and would look for any correspondence records of that period. I went back the next day but Father Babcock had been unable to find anything, and said we should have to await the return of the rector Bishop Hayes on June 18th.

“For the last two weeks I have been working at the Propaganda Fide, but limited to about two hours a day. I have finished about all that seems possible. The fact is that relatively little correspondence or other papers reached Rome—because all Spanish America was under the patronage of the King of Spain! This is really what I had expected to find, and yet I have hoped that there might be one or another *memorial* besides the Benavides 1634. I am taking that, by the way, with some accompanying papers for 600 pages of facsimile copying. I have now the complete

negative film for which I had asked—of the Bandelier illustrations (5 books) and also of two of the Aztec codices. I also have now the complete color film for Bandelier, except four shots to repeat, the ends of which were damaged in developing in Berlin. Tomorrow I should have back the color-film I made at the two codices. With this experience in color work, I can go right ahead at Florence.

“Tentatively I believe I shall go on from Florence to Paris for a little work there and to start the family home; then back to Rome for another checkup; and from Rome to Gibraltar and Seville. I’d like to bring back with me from Seville about 50,000 pages of facsimiles to add to the Coronado Library at the University. I’ve had a very cordial reply from the director in Seville, the same scholar who was in charge when we were there in 1928-1929. I also had a very satisfactory letter from the United States consul in Seville.

“In my study of the original Benavides 1634, I have noted quite a number of interesting features, not only in the text itself but in relation to other facts of which we have learned in recent years.

“It’s curious how things are related sometimes. Last month I changed to a different photo house here, hoping to get my color film back from Berlin more promptly—the result has been worse rather than better; this is the 25th day since that last batch went! And I must have it before I can finish definitely at the Vatican. Well: a few days ago, going from the propaganda to that photo shop, I went through an old part of the city, and I was startled to see a street sign: ‘Via di *Bufalo!*’ I wondered how *that* name reached Rome. The very next day, as I scanned this Benavides, there was this description of ‘una especie de uacas diferente delas *ñras* que llaman de Síbola en nada parecida aestas ni alos *bufalos*, cuio pellejo es muy lanudo . . .’ Benavides has not only a Strait of Anián but a *second* ‘de Avis’ connecting the two oceans; not only one Quivira, but *two*,

etc. He revives the mistaken idea that the Gulf of California (as he calls it) connects with the South Sea; and that the Rio Grande and the Rio 'de Tison' were one and the same. And (like Oñate in his Act of Possession) Benavides puts Fray Marcos de Niza among the first martyrs.

"The westward exploration of 1604 was initiated by the missionaries,—and Oñate decided to go along with some soldiers. The harbor which they discovered was most marvelous, adequate for many ships and well sheltered. 'It seemed well to the Adelantado to take possession legally of that port, and so, clothed and armed with a shield on his arm and with sword in hand, he waded into the sea waist-deep, giving sword strokes on the water and announcing "I take possession of this sea and of this port in the name of the King of Spain our Lord." Then the blessed Fray Juan de San Buenaventura, watching this procedure and considering how the word of God had there already taken possession of many hearts, was stirred in spirit and, clothed in his habit and with a crucifix in his hands, he too waded in until he was waist-deep and, making the sign of the cross on the water with the crucifix, he cried aloud, "Possession for God our Lord! Possession for God our Lord!"' Rather dramatic!

"The underlying purpose of the two editions will, I believe, need careful comparison—and the relation of both to the effort of the Dominicans in 1631 to get into New Mexico. At any rate, I am taking various other documents which seem to have some bearing on this 1634 MS—and New Mexico's early history in general."



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## THE PIMA OUTBREAK IN NOVEMBER, 1751

By RUSSELL C. EWING

LATE IN THE year 1751 the attention of the authorities of Sinaloa and Sonora was suddenly drawn to Pimería Alta by native disturbances. Since 1695, with the exception of minor uprisings in 1732 and 1748,<sup>1</sup> Pimería Alta had been free from internal Indian troubles.

The uprising was well planned. On Saturday, November 20, Luis Oacpicagua, native governor and captain-general of the Pimas, held a talk with his people in one of the small *barrancas* near Saric, a settlement lying close to the source of the Altar River.<sup>2</sup> There plans were made for a general uprising against Spanish rule. Missionary, rancher, soldier, *gente de rason*, and all Spanish sympathizers were to be driven from Pimería Alta. Neither life nor property was to be spared; and the Pimas had reason to feel certain of success, since there were only a few hundred persons in all the Upper Pima country who were considered to be loyal to the Spanish crown.<sup>3</sup> Of this number less than one hundred could offer armed resistance.<sup>4</sup> Santa Ana, largest of all the settlements, had less than one hundred Spanish and *mestizo*

1. Jacome, *Declaración*, Horcasitas, Nov. 23, 1753, in *Testimonio de . . . los Pimas Altas en La Provincia de Sonora* (A. G. L., 104-3-5).

2. Peña to Carta, Cucurpe, Nov. 29, 1751, in *Testimonio de los Auttos . . . sobre . . . tres Yndios . . . y . . . varias muertes . . . de sus misioneros* (A. G. I., 67-3-31); Baitioct, *Declaración*, San Ignacio, Jan. 22, 1752, in *Terzero Quaderno de Auttos de . . . Diego Ortiz Parrilla . . . Gobernador . . . de . . . Nueva Andalucía . . . por su Magestad* (A. G. I., 104-3-5); Lizasoín, "Informe," in *Documentos para la historia de Mexico*, series iii, 556, 685.

3. Peña to Carta, *loc. cit.*

4. *Ibid.*



inhabitants,<sup>5</sup> and the nearest presidios, Terrenate and Fronteras, were unprepared for hostilities. The handful of presidials attached to the garrison at Terrenate was at that moment scattered, and most of the soldiers at Fronteras were ill.<sup>6</sup> The Pimas could hardly have found a more propitious time for the success of their plans.

The uprising once decided upon, the next step was to inform the other Indians of the region of the scheme. Runners were immediately sent off in all directions from Saric bearing orders from Luis to the effect that all Pimas rebel at once against their Spanish masters, and that after spreading death and destruction throughout Pimería Alta they were all to retire to the Baboquivari Mountains with their families and live-stock.<sup>7</sup>

The native messengers were prompt in executing their several tasks. Towards sundown that same Saturday the aborigines of Tubutama learned of Luis's plans.<sup>8</sup> But there, due to the act of a faithful mission Indian, Ignacio Matovit, the designs of the natives were somewhat frustrated. Matovit, upon learning that the Pimas of Tubutama were going to follow Luis's instructions, hastened to inform the *vecinos* of their impending danger.<sup>9</sup>

Father Visitor Jacobo Sedelmayr, resident missionary at Tubutama, immediately took measures for the protection of the few *gente de razon* and Spaniards who resided in the mission district. He let it be known that the Pimas were about to strike, and within a short time fourteen *gente de razon* and two soldiers took refuge with him in the mission

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5. Altamira to Revilla Gigedo, Mexico, Jan. 16, 1752, in *Testimonio de . . . la sublevacion de los Yndios de la Pimeria Alta* (A. G. I., 57-3-31).

6. Sánchez, "Informe," Terrenate, Dec. 8, 1751, in *Testimonio de lo primer Quano de Autos . . . sobre sublevacion . . . y providencias, que . . . expendió . . . Parrilla . . . Govor . . . de Sinaloa, y Sonora* (A. G. I., 104-3-5); Parrilla, instructions to subalterns, Nov. 23, 1751, in *ibid.*

7. Baitioct, *Declaración*, *loc. cit.*; Matovit, *Declaración*, San Ignacio, Jan. 8, 1752, in *Terzera Quaderno de Auttos de . . . Diego Ortiz Parrilla . . . Gobernador . . . de . . . Nueva Andaluçia . . . por su Magestad* (A. G. I., 104-3-5).

8. Baitioct, *Declaración*, *loc. cit.*

9. Bustamante, *Declaración*, San Pedro Nolasco, Dec. 16, 1753, in *Testimonio de Los Autos . . . sobre . . . el Alzamiento . . . en Sonora* (A. G. I., 104-3-4).

buildings.<sup>10</sup> Then Sedelmayr's thoughts turned to the safety of Father Juan Nentvig, who was in charge of the *visita* of Saric.<sup>11</sup> Although the plot was being laid at Saric, there was the possibility that Luis had been more successful in keeping his secret at the *visita*. Sedelmayr therefore addressed a short letter to Nentvig warning him of the designs of the Pimas and advising him to come with all possible speed to Tubutama.<sup>12</sup>

Late that same evening Nentvig received Sedelmayr's note from the hands of the faithful Matovit. The Father Visitor had acted wisely, for Nentvig was apparently unaware of danger. A horse was instantly procured, and the Jesuit rode off down the valley to Tubutama, where he arrived at about midnight.<sup>13</sup>

Nentvig made his exit none too soon. Shortly after his flight, Luis, under the ruse that the Apaches were about to attack Saric,<sup>14</sup> offered his house as a refuge to some twenty persons, among whom were three children and several male servants of Nentvig. Armed guards were then stationed around the house, and ere the occupants were aware of their predicament, the torch had been applied to their abode.

10. Baitioct, *Declaración, loc. cit.*; Bustamante, *Declaración, loc. cit.*; Bustamante, *Declaración*, San Ignacio de Cuquiarachi, Aug. 31, 1754, in forty *declaraciones* taken by Utrera (A. G. I., 104-3-5).

11. Nentvig to Utrera, Tecoripa, Dec. 3, 1754, in *Testimonio de los Autos formados en orden de Rl. cedula de 4 de Ocre. de 1752, sobre . . . el Alzamiento de los Pimos Altos en la Provincia de Sonora* (A. G. I., 104-3-4).

12. Sedelmayr to Parrilla, Santa Ana, Nov. 27, 1751, in *Testimonio de lo primer Quano de Autos . . . sobre sublevación . . . y providencias, que . . . expendio . . . Parrilla . . . Govor . . . de Sinaloa, y Sonora* (A. G. I., 104-3-5); Matovit, *Declaración, loc. cit.*

13. Sedelmayr to Parrilla, *loc. cit.*; Stiger to Segesser, San Ignacio, Nov. 27, 1751, in *Testimonio de los Autos . . . sobre . . . tres mil Yndios . . . y . . . varias muertes . . . de sus misioneros* (A. G. I., 67-3-31). Ortega (*Apostólicos Afanes*, 488) states that Nentvig went by foot to Tubutama.

14. Rivera, *Declaración*, Horcasitas, Dec. 5, 1753, in *Testimonio de los Autos . . . sobre el Alzamiento . . . en . . . Sonora* (A. G. I., 104-3-4); Bustamante, *Declaración*, San Ignacio de Cuquiarachi, Aug. 31, 1754, in *loc. cit.* . . . According to Alegre (*Historia de la compañía de Jesus en Nueva España*, III, 291-292), the sudden appearance of great numbers of Pimas at Saric had led several Spaniards to go to Luis's house on the night of November 20 to ask the reason for the presence of so many natives.

Some attempted to escape this flaming inferno, only to meet death at the hands of the armed guards.<sup>15</sup>

The captain-general and his confederates now turned in search of Father Nentvig. The Jesuit, had he not anticipated their plans, would undoubtedly have been martyred. The infuriated natives, learning that Nentvig had sought safety in flight, gave chase, desisting in their pursuit only when they were certain that the father was beyond their immediate reach.<sup>16</sup>

The rebels' murderous lust, temporarily frustrated by Nentvig's escape, soon found satisfaction at the home of Laureano, *mayordomo* of Saric. Laureano succeeded in eluding his persecutors, but he left his family to the mercy of the Pimas. His wife and children were promptly killed. This deed brought to a close a night in which about twenty-five persons lost their lives.<sup>17</sup>

Meanwhile at Tubutama Sedelmayr and his companions, behind the barricaded walls of the father's house, were nervously awaiting an attack.<sup>18</sup> The early morning hours of Sunday were passed in this tense atmosphere, when, just at break of day, the settlement was startled by the din of piercing war-cries and the pealing of the church bell, which, said Sedelmayr, was "a most notable circumstance."<sup>19</sup> The besieged found themselves about to be attacked by nearly a thousand natives from the region of Santa Teresa and the *ranchería* of Jonamota.<sup>20</sup> Acting under the leadership of Sebastián, Indian governor of Santa Teresa, the rebels set fire to the church and the house in which Sedelmayr and his

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15. Luis, *Declaración*, San Ignacio, Mar. 25, 1752, in *Testimonio de los Autos formados separadamte . . . con lo demas . . . de Sinaloa* (A. G. I., 104-3-5); Rivera, *Declaración*, *loc. cit.*

16. Luis, *Declaración*, *loc. cit.*

17. Peña to Carta, *loc. cit.*; Lizasoain, ("*Informe*," *loc. cit.*, 583) states that approximately sixteen lives were lost. Stiger lists twenty-two as having been murdered (Stiger's entry for Nov. 21, 1751, in *Libros de entierros deste Pueblo de Sn. Ygn . . . en que tambien seponen las de . . . Himuri*).

18. Sedelmayr to Parrilla, *loc. cit.*

19. *Ibid.*; Bustamante, *Declaración*, Real de San Pedro Nolasco, Dec. 16, 1753, in *Testimonio de los Autos, . . . sobre . . . el Alzamiento . . . en . . . Sonora* (A. G. I., 104-3-4).

20. Baitioct, *Declaración*, *loc. cit.*



companions had taken refuge.<sup>21</sup> In spite of their dangerous retreat, the handful of Spaniards and *gente de razon* chose to defend themselves in the flaming building rather than to flee and expose themselves to the Indians' arrows.

The attack continued throughout the day, although somewhat less furiously than had been expected.<sup>22</sup> As night closed in the rebels withdrew, leaving Sedelmayr and his fellow-defenders to formulate plans for relief. There had been no casualties among them, but there was no assurance that another day's encounter would end so successfully. The father's house was nearly destroyed, which rendered it practically useless as an abode of defense. Armed assistance was their only hope. News of their plight must therefore be gotten at once to one of the Spanish settlements which could furnish the desired aid. It was for this purpose that one of the soldiers was sent to Santa Ana and a loyal Indian dispatched to San Ignacio.<sup>23</sup> The remaining few now settled down to what must have been a most disquieting night.

At dawn on Monday the rebels returned to their attack. Their numbers were now somewhat more than on the preceding day, and they threw themselves at the Spaniards with a great deal more determination and effect than on the first day. The besieged put up a courageous defense. Fighting from behind the walls of their almost completely demolished retreat, which was now hardly more than a smoldering mass of cinders, they managed to hold the Indians at bay.<sup>24</sup>

21. Sedelmayr to Parrilla, *loc. cit.*

22. *Ibid.*; Bustamante, *Declaración, loc. cit.*; González, *Declaración loc. cit.*

23. Sedelmayr to Parrilla, *loc. cit.*; Toral to Parrilla, Guepaca, Nov. 27, 1751, in *Testimonio de lo primer Quano. de Autos . . . sobre sublevazion . . . y providencias, que . . . expendió . . . Govor . . . de Sinaloa, y Sonora* (A. G. I., 104-3-5).

24. Sedelmayr to Parrilla, *loc. cit.*. Ortega (*op. cit.*, 448) inaccurately states that Sedelmayr and his companions defended themselves in the churchyard at Tubutama. Ortega's account of the revolt is unreliable. He completed his *Apostólicos Afanes* early in 1752. The first official account of the uprising reached Mexico City late in January, 1752 (*Testimonio de los Autos . . . sobre hauerse levantado tres mil Yndios . . . y destrozado las Yglesias de sus misioneros* (A. G. I., 67-3-31). Ortega could therefore have had relatively little information about the uprising.

That afternoon the natives suddenly withdrew from Tubutama. During the lull which followed, Domingo Castillo, a soldier from the garrison at Fronteras, went from the house for the purpose of rounding up several horses in the neighborhood, hoping thereby to provide a means of escape for his associates.<sup>25</sup> But Castillo's plans went awry. He had gone but a short distance when he fell into an ambush. Sensing his predicament, he made a desperate attempt to return to his companions; but he was overwhelmed by the Pimas, and fell a victim to the Indians' war-clubs.<sup>26</sup>

The rebels now turned in their fury upon those fortified in the father's house. The Jesuit and his companions found themselves attacked from all sides. Arrows, sticks, and stones were directed at the Spaniards with devastating effect. Most of the defenders were wounded, two of whom, Barrientos and Nuñez, died shortly afterwards from their injuries. Sedelmayr received two ugly gashes in the head and a flint in one of his arms.<sup>27</sup> What the casualties were on the side of the Indians can only be a matter for speculation, for the authorities have failed to leave any specific records on this score.<sup>28</sup>

The natives continued their attack until after sundown.<sup>29</sup> They then withdrew, leaving the defenders to take an inventory of the munitions and food supplies and to review the results of the day's encounter.<sup>30</sup> It was found that the powder and shot were nearly exhausted, and that the condition of the men was such that it would be impossible to expect anything but complete annihilation in another engagement with the Pimas. Moreover, they had received no news from the pleas they had sent for relief.

25. Bustamante, *Declaración*, San Ignacio de Cuquiarachi, Aug. 31, 1754, *loc. cit.*

26. Sedelmayr to Parrilla, *loc. cit.*

27. *Ibid.*

28. Bustamante (*Declaración*, San Ignacio de Cuquiarachi, Aug. 31, 1754, *loc. cit.*), states that great numbers of the Indians were killed.

29. González (*Declaración*, *loc. cit.*) says until late at night. Sedelmayr (Sedelmayr to Parrilla, *loc. cit.*) is authority for the statement that the attack lasted until shortly after sundown.

30. *Ibid.*

They were therefore of the belief that their only hope of safety lay in flight.

At nine o'clock that night, November 22, they made arrangements for their departure. It was decided that Barrientos and Nuñez be left behind, since they would retard the flight of the group. Furthermore both would doubtless be dead before the return of the Pimas. Sedelmayr and Nentvig accordingly received the confessions of the dying men, and then in company with the remaining twelve persons hastened off into the dark intent upon making their way to Santa Ana. They chose unfrequented and circuitous trails, hoping thereby to diminish the chances of meeting hostile natives. This dangerous game of hide-and-seek, as it were, lasted until Wednesday, nearly two full days after their sudden abandonment of Tubutama. On that day they arrived exhausted at Santa Ana.<sup>31</sup>

Meanwhile, the Indians had wrought havoc at other pueblos lying on the banks of the Altar and at San Miguel de Sonóita, the lone mission in the Papageria. On November 20 Father Tomás Tello was murdered at Caborca by a band of Pimas under the leadership of the native governor of Pitic, who also bore the name of Luis.<sup>32</sup> Not content with the death of the missionary, the Pimas directed their murderous designs against the *gente de razon* of the pueblo, where eleven persons were stricken down in cold blood.<sup>33</sup>

31. Stiger to Segesser, San Ignacio, Nov. 27, 1751, in *Testimonio de los Autos . . . sobre hauerse levantado tres mil Yndios . . . y destrozado las Yglesias de sus misioneros* (A. G. I., 67-3-31); Bustamante, *Declaración*, San Ignacio de Cuquiarachi, Aug. 31, 1754, *loc. cit.* . . . Bancroft (*History North Mexican States*, I, 544) mistakenly says that the fourteen retreated to San Ignacio. Ortega (*op. cit.*, 449) writes that Sedelmayr, after leaving Tubutama, met an Indian who furnished him with a horse which he rode to San Ignacio. The same author (*op. cit.*, 449) also states, inaccurately, that Father Nentvig wandered about the countryside for five days before he finally arrived at San Ignacio.

32. According to Baitioct (*Declaración, loc. cit.*), an Indian of Tubutama, the Jesuit was killed on the 19th. González (*Declaración, loc. cit.*), states that the date was the 20th, as does Matovit (*Declaración loc. cit.*). Oapicagigua, leader of the revolt is reported to have said that the revolt broke out at Caborca on the very day that it did at Saric (Oacoi, *Declaración*, San Ignacio, Dec. 14, 1751, in *Testimonio de los Autos formados . . . con lo demas que coronel. de los Rs. exercitos Govor. y Capn. Gral . . . de Sinaloa* (A. G. I., 104-3-5). Father Toral to Parrilla, *loc. cit.*) is authority for the statement that Tello was murdered on Sunday the 21st.

33. Stiger's entry in *Libro de entierros, loc. cit.*



On the following morning the governor of Pitic and his men made their way to Uquitoa, where, in company with the Pimas of the latter place, they proceeded to kill the *gente de razon*.<sup>34</sup> They then plundered their victims' property, and that which they could not carry away was burned.<sup>35</sup> By nightfall some twenty persons lay dead at Uquitoa.<sup>36</sup>

The events of the first few days of the uprising in other parts of western Pimería Alta are imperfectly known. In the remaining settlements of the Altar Valley approximately twenty-five persons are said to have perished at the hands of the Pimas.<sup>37</sup> At Sonóita, the Pápago mission, Father Enrique Rhuen and two others were killed. On Sunday the 21st a band of Indians, intent upon taking Rhuen's life, proceeded to the father's house. The Jesuit, seeing their approach, stepped forth to greet them. The details of what then took place are meager. It appears that the father was instantly clubbed to death along with his *mayordomo* Juan Orosio and his servant Antonio Marcial.<sup>38</sup> The church was then stripped of its sacred ornaments and set on fire.<sup>39</sup>

Meanwhile the Spaniards and *gente de razon* inhabiting the region between Saric and San Xavier del Bac were experiencing similar treatment. On the night of the 20th the Pimas attacked the *gente de razon* at Arivaca.<sup>40</sup> During the course of that night and the next day three families and the *mayordomo* of Father José Garrucho, resi-

34. Salazar to Urrea, Santa Ana, Nov. 21, 1751, in *Testimonio de lo primer Quano. de Autos . . . sobre sublevacion . . . y providencia, que . . . expendio . . . Parrilla . . . Govor . . . de Sinaloa, y Sonora*, (A. G. I., 104-3-5); Xavier, *Declaración*, San Ignacio de Cuquiarachi, Sept. 2, 1754, in *Testimonio de los Autos . . . sobre . . . el Alzamiento . . . en . . . Sonora* (A. G. I., 104-3-4).

35. Matovit, *Declaración*, loc. cit.; Joachin, *Declaración*, San Ignacio, Jan. 8, 1752, in *Testimonio de lo primer Quano. de Autos . . . sobre sublevacion . . . y providencias, que . . . expendio . . . Parrilla . . . Govor . . . de Sinaloa, y Sonora* (A. G. I., 104-3-5).

36 Cf. Stiger's entry in *Libro de entierros*, loc. cit.

37. *Ibid.*

38. *Ibid.*; Oyctaitonic, *Declaración*, Horcasitas, Nov. 23, 1752, in *Testimonio de los Autos formados separadante . . . con lo demas . . . de Sinaloa* (A. G. I., 104-3-5).

39. *Ibid.*

40. Luis, *Declaración*, loc. cit.

dent missionary at Guevavi, were ruthlessly slaughtered.<sup>41</sup> Several hours later a group of settlers in the valley of San Luis learned of the massacre. They at once proceeded to Arivaca to inter the dead. But their plans met with little success. At Arivaca they were confronted by such a formidable band of Pimas that they were forced to make a hasty retreat in the direction whence they came. Followed for some time by the rebels, they were finally forced to fight, and in the ensuing skirmish two settlers were wounded and four Pimas killed. It was with some difficulty that the remaining settlers managed to fight clear and make good their retreat to the valley of San Luis.<sup>42</sup>

The outbreak was relatively slow in spreading to Soanca and San Xavier.<sup>43</sup> Several days after the initial uprising at Saric the Indians of the north began to show signs of restlessness. On November 23 and again on the 24th Father Ignacio Keller, missionary at Soanca, fearing an outbreak among his native charges, appealed to Isidoro Sánchez de Tagle, lieutenant of the presidio of Terrenate, for protection.<sup>44</sup> Keller asked for six soldiers; but six soldiers, replied Sánchez, were more than the presidio could safely spare, for most of the men of Terrenate were away on special duties.<sup>45</sup> Eighteen were stationed at Bacanuchi; four were at San Xavier; two were escorting a pack-train from the pueblo of Imuris to Terrenate; three were out rounding up horses; and most of the others were in the valley of San Luis engaged in branding cattle. But despite this scarcity of men Sánchez managed to send five soldiers to Keller.<sup>46</sup>

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41. Juan, *Declaración*, San Ignacio, Dec. 9, 1751, in *ibid.*; Keller to Stiger, Soanca, Nov. 22, 1751, in *Testimonio de lo primer Quano. de Autos . . . sobre sublevazion . . . y providencia, que . . . expendio . . . Parrilla . . . Govor . . . de Sinaloa, y Sonora* (A. G. I., 104-3-5); Sedelmayr, Nentvig, and Stiger to Parrilla, San Ignacio, Nov. 30, 1751, in *ibid.*; Romero to Parrilla, Soanca, Dec. 3, 1751, in *ibid.*

42. Baitioct, *Declaración*, *loc. cit.*; Romero to Parrilla, *loc. cit.*

43. Keller, "Consulta," in *Doc. hist. Mex.*, series iii, 26-32.

44. Sánchez, "Informe," *loc. cit.*

45. *Ibid.*

46. *Ibid.*

A few days later Father Francisco Paver, in charge at San Xavier, also sensed danger.<sup>47</sup> Believing that the Indians of the mission were about to rebel, Paver hurriedly made his way to Guevavi with three soldiers and his *mayordomo*. There they found Garrucho somewhat perturbed at recent events, and in a short while the entire group, augmented by a considerable number of *vecinos* from the surrounding country, hastened off in the direction of Terrenate. At Soanca they were joined by Keller, and it appears that all reached the garrison with the exception of Garrucho, who for some unknown reason turned back.<sup>48</sup>

Thus within about a week's time the Pimas had laid the larger settlements in western Pimería Alta in waste. More than a hundred persons had perished at the hands of the rebels, and the property of the victims had either been burned or carried away. The church at Tubutama had been looted and burned, and similar treatment had been meted out to the other religious establishments in the hostilized area. The Indians' plans had succeeded, at least in part.

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47. Rivera, *Declaración*, *loc. cit.*; Romero to Parrilla, *loc. cit.*

48. *Ibid.*



## THE CHAPEL OF DON ANTONIO JOSÉ ORTIZ

*By* COL. JOSÉ D. SENA

It appears from an instrument, which has been in the vault of his Excellency Archbishop R. A. Gerken that, in the year 1797, Don Antonio José Ortiz, a resident of the city of Santa Fé, in the Kingdom of New Mexico under the jurisdiction of the Bishop of Durango, petitioned his Lordship Dr. Don Francisco Gabriel de Oliváres y Benito, then bishop of Durango, for permission to erect at his home and residence in Santa Fé, a chapel so that he could comply with his religious duties of hearing mass on Sundays and feasts of obligation, because, owing to his infirmities, he was unable to attend at the parroquial church.

In the petition which was corroborated by the Reverend Fathers Fray Buenaventura Marino, Fray José Rubio, and Fray Francisco de Hocio, they state that Don Antonio José Ortiz, had been and was a very devout Catholic, contributing with his means to the support and betterment of the churches in Santa Fé. It is stated further that, at one time, the parroquial church had fallen down completely, and that it was Don Antonio José Ortiz who, out of his own money and completely at his own expense, rebuilt the church and added to it a beautiful and roomy chapel, dedicated to St. Joseph, and had placed in it a statue of St. Joseph. He had also added a chapel dedicated to our blessed mother, making the church then in the form of a cross. In this chapel were placed statues of our Lady of the Holy Rosary, pictures of our Lady of Guadalupe, and one of San Miguel. The reverend fathers testified also that he had contributed largely to the repair of the chapel of San Miguel when in a state of deterioration, and that all this was done at his own expense. It was further stated that he paid for the wax and wine for the celebration of holy mass.

Due to all these acts of devotion and his pious character and Catholic devotion, his Lordship Bishop Oliváres y Benito granted the permission, on condition that the chapel should be separate from the rest of his domicile and with an entrance to the street. He also stipulated that the chapel should have a bell to gather the faithful to the holy services.

It appears that, upon a later petition and due to the chronic illness of Mr. Ortiz, an additional grant was given him, namely, that the chapel might be connected with his residence, so that he could be brought in to the services and not be exposed to the inclemency of the weather: His Lordship also granted the permission that if Don Antonio José Ortiz provided a tabernacle according to the rubrics of the church, the blessed sacrament might be kept constantly in the chapel, and the sacraments be administered from the said chapel to the faithful, as well as to the members of his family and servants. It appears that at that time the blessed sacrament was kept only in the said chapel, and that from there all services were performed, even to administering the last rites of the church. During all this time, Don Antonio José Ortiz continued providing all that was necessary, the vestments, holy vessels, hosts, wax, wine and other necessities for the divine service. His Lordship also granted, on petition, that the bodies of Don Antonio José Ortiz, the members of his family, and some other persons, who were pleasing to Don Antonio José Ortiz might be buried there. It was provided, in the grant of permission, that the Holy Sacrifice of the Mass should be celebrated at the said chapel, daily, by one of the fathers of the parish.

There appears a letter to Don Antonio José Ortiz, from his Lordship which is signed by Don José Aguilar, secretary to his Lordship, in which he states, that his letter was not answered by his Lordship Bishop Oliváres due to his infirmities and his advanced age, but that he instructs the secretary to write in his name, renewing his heretofore granted concessions, and imparting his Apostolic Benediction and

wishing him many, many more years of life to be dedicated to the service of God and His church on earth.

The document contains eleven different paragraphs or it might be said eleven different steps in the matter of the permission asked and the concessions granted.

Don Antonio José Ortiz is the great-grandfather of the Ortiz family. One of his sons, Don Juan Felipe Ortiz, at the time of the arrival of Bishop J. B. Lamy, was vicar apostolic of the Province of New Mexico. Don Antonio José Ortiz was married to Doña Rosa de Bustamante, and to her (as appears in a letter from Don Santiago Baca y Ortiz, a cleric of first tonsure then at Chihuahua and also a grandchild of Don Antonio José Ortiz) were renewed all the concessions previously granted by His Lordship Bishop Oliváres. This was done on January 12, 1813, by Don Francisco Fernandez y Valencia, administrator of the vacant see of Durango.

As nearly as can be ascertained, the residence of Don Antonio José Ortiz and the chapel here spoken of were located on San Francisco Street, where it joined the former Rosario Street, where the D. & R. G. railroad tracks now are.

The Catholicity of the people which was instilled into them from their mother country and by the efforts of the early friars still remains alive and continues to show itself, with very few exceptions, as something that goes deep into their hearts. May God grant that the faith so instilled into the hearts of the Spanish-speaking people may take a renewed life, and be joined in by our brothers in faith of Anglo-Saxon descent.

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TRANSLATION OF THE CONCESSIONS MADE TO DON ANTONIO JOSÉ ORTIZ BY THE BISHOP OF DURANGO, GRANTING PERMISSION TO BUILD AN ORATORIO IN HIS HOME, AS A MISSION TO BE LOCATED AT THE CORNER OF SAN FRANCISCO AND ROSARIO STREETS, IN SANTA FÉ, NEW MEXICO

FIRST:

We, Dr Don Francisco Gabriel de Oliváres y Benito, of the council of His Majesty, and bishop of Durango, etc.



Whereas in a memorial which was presented to us by Don Antonio José Ortiz, together with the certification accompanying it, from the Reverend Fathers, Fray Buanaventura Marino, Fray José Rubí, and Fray Francisco de Hocio, he has informed us that, at the parish church of Santa Fé, New Mexico, he has erected, at his own expense, a chapel, beautiful and roomy and in the form of a cross; that he has placed in the said chapel the statues of St. Joseph, and has likewise repaired the four district chapels, which were almost in ruins; that he has installed sanctuaries, and canopies; that he contributes all the wax, wine and hosts which are needed during the year, as well as all other necessities for the proper and decent service of divine worship, in the almost ruined missions in which mass is to be celebrated; that he has paid for masses and other ceremonials as well as for benediction with the Blessed Sacrament; has placed statues of Our Lady of the Rosario, Our Lady of Guadalupe, San Miguel, and St. Joseph; and ends with the request to us that we be pleased to grant our permission, in order that in this said chapel of St. Joseph; it be permitted that his body be buried as well as those of the members of his family, and some other persons of liking and appreciation. In what pertains to us, as to these presents, taking into consideration his pious zeal and devotion to the Divine services, we are pleased to grant, to the said Don Antonio José Ortiz, our full permission and license, so that there may be celebrated in the said chapel the sacrifice of the mass, and that the bodies of himself, the members of his family, and such others of his predilection and friendship as he may desire, may there be buried.

Given at our Episcopal Palace at Durango, and signed by us, with our seal and Coat of Arms, and countersigned by the secretary of our Canonical Government, on the 27th day of the month of December in the year 1797.

Francisco, Bishop of Durango.

By order of his Lordship.

Registered in Book I of Acts, folio 114,  
by Father Pedro Millan Rodriguez.

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#### SECOND:

We, Dr. Don Francisco Gabriel de Oliváres y Benito, by the grace of God and the pleasure of the Apostolic See, Bishop of Durango, of the council of his Majesty, etc.

Whereas, Don Antonio José Ortiz, resident of the City of Santa Fé, in New Mexico, in a petition, presented to us, has made us acquainted with his chronic illness which prevents him from complying with the obligation of hearing Mass and attending to his duties, on Sunday and Feasts of obligation, during the year, and ends with the request that we be pleased to grant him our permission and license to construct an oratory, in which the holy sacrifice of the Mass may be decently celebrated, offering, at the same time to provide the said chapel with holy vessels, vestments, altars, and all other necessaries for the decent needs of such sacred mysteries. In the light of these presents, and giving our attention to the just cause of his petition, as well as others which have moved our mind, and using the Apostolic faculties, for our part, we grant our license and permission to the said Don Antonio José Ortiz, so that he may, in the house of his abode, construct and build a public oratory, with a door to the street, and a bell over the same, which shall serve to convene the people and faithful to hear the Holy Sacrifice of the Mass. We order the said Don Antonio José Ortiz to construct the said oratory apart and free from all other rooms of his domicile, and when it is concluded and decently adorned, and with all the necessary appurtenances, we hereby empower the parish priest of Santa Fé, New Mexico, or some other priest who may have the proper licenses, that he may bless the said oratory, in the form directed by the Roman Ritual, and when blessed, the Holy Mass may be and must be celebrated every day, as well as to administer the Holy Sacraments of penance and Holy Eucharist, by any priest, secular or religious, who has been duly approved by our bishopric, with all our due good will and approbation, without any prejudice to the parroquial rights.

Given at our Episcopal Palace at Durango, and signed by us, with our seal and Coat of Arms, and countersigned by our Canonical and government secretary on the 16th day of the month of June, 1798.

Francisco, Bishop of Durango.

By order of His Lordship the Bishop  
my Lord. Pedro Millan Rodriguez,  
Secretary. Recorded in Book 1 of Government  
page 23.

\* \* \*

## THIRD:

We, Dr Don Francisco Gabriel de Oliváres y Benito, by the Grace of God and the favor of the Apostolic See, Bishop of Durango, of the council of his Majesty, etc.

Whereas, due to the memorial presented to us by Don Antonio José Ortiz, resident of Santa Fé, New Mexico, by which it is evident, that he has already built and adorned, in his house and domicile a public oratory, in one of his offices, with a door to the street in the hallway of the house, in order to avoid many inconveniences that have come up, in order to celebrate the Holy Sacrifice of Mass; therefore, by these presents we grant our permission and license, so that the Holy Sacrifice of the Mass may be celebrated and will be celebrated in the said oratory, by any priest, secular or religious, who has been duly approved by us or from any other province and Vicar General, on every day of the year, with the express condition, that he must place a bell over the wall of the said oratory, toward the street, which may gather the faithful to hear the Mass on Sundays and other days of obligations, and that they may comply, in the said oratory. And in the same manner, each one who may hear the bell, will gain, forty days indulgence, which we have been pleased to grant, and another forty days indulgence, which we have been pleased, to all such who will attend the recitation of the Holy Rosary in the said oratory, on every day of the year, as also forty days indulgence to each person who may attend each one of the feasts of Our Lady the Blessed Virgin Mary, and who may recite with devotion, once, the Salve Regina. We order the said Don Antonio José Ortiz, to maintain the said chapel with all the corresponding decency and adornment: That the secular or regular priest who may say Mass in the said chapel, on Sundays or other feast days, shall explain some point of the Christian doctrine, which may be of instruction to the faithful and that no priest, regular or secular, shall suspend the license and permission, even though he may exercise the function of Pastor Vicar, without first, notifying us. That this shall be valid in all due respect, and with our whole will;

Given at our Episcopal Palace at Durango, and signed by us and sealed with our seal and Coat of Arms, and countersigned by our undersigned, secretary, canonical and governmental on the 8th day of October, 1799.

Francisco, Bishop of Durango.



By order of his Lordship my Lord,  
Pedro Millan Rodriguez, Secretary.  
Recorded Book 1 page 106.

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FOURTH :

Don Antonio José Ortiz— My Dear Sir : His Lordship, my lord, owing to his advanced years and continuous complaints, does not answer in person, your respectful letter of the 14th of November last, and I do it in his name and by his order, saying that he cannot grant the faculty of blessing the chalice, to the pastor of the village, nor to any other priest, for the reason, that the blessing of it is not a blessing proper, but a consecration in which must be used the sacred uncion, and therefore, the power to grant this does not exist in his Lordship, and that if it did, he would at once grant it as he grants the permission to bless bells, vestments, crosses, and all that which does not involve the sacred uncion. He grants the power to the said pastor, and in his absence to any other priest, to celebrate two masses, one at the Parish church, and the other one in the neighborhood chapel, on feast days, only. — May God grant you many years to your life. Durango February 6, 1801. Your humble and faithful servant in our Lord.

Francisco, Bishop of Durango.  
José Aguilar, Secretary.

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FIFTH :

Don Antonio José Ortiz: Answering your letter of the 31 of March, and after extending you my thanks, for your carefulness in regard to divine cult, I will say that I grant my permission the exposition in your chapel, maintaining it with its due decorum, relative to the exposition of the Blessed Sacrament. Regarding the exception of the duties of dues of graves, with the obligation of opening and closing the same, I grant the same to you and your family. Regarding the consecration of the chalice and the altar stone, we will consider the best way, as these are things reserved only to the Bishops.

God grant you many years of life. Durango May 3rd, 1800.

Francisco, Bishop of Durango.

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## SIXTH:

We, Dr. Don Francisco Gabriel, Oliváres y Benito, by the Grace of God and the favor of the Apostolic see, Bishop of Durango, of the counsel of his Majesty, etc. Whereas, we have been informed that Don José Antonio Ortiz, resident of the city of Santa Fé, in the Province of New Mexico, maintains, continuously, at his own expense, in the public oratory which he has in his house, the exposition of the Blessed Sacrament, and that they also take from there the Holy Viaticum to the sick, by the parish priest of the said city, which redounds to the benefit of the neighborhood, as well as to their spiritual advantage. Therefore, and in regard for the expense of the oil, which is sold at a high price, in said Province, and which he has to provide, by these presents we grant him the favor, that there may be sung, on every Thursday during the year, the mass of renovation, in the said oratory, by its chaplain, or any other priest, secular or regular, who is registered or approved by this our bishopric. And also on the feast of his patron saint and on some special festivities during the year. But we do prohibit, that there may be masses sung, on the said days, and any others, by requests of any other faithful, which are not of devotion, and which are for a stipend given by other faithful, who must pay the parroquial dues. And we order the parish priest, who is now or may hereafter be, in the said city, that he shall not require parroquial dues, for the masses of devotion by the said Don Antonio José Ortiz, due to the merits he has already acquired but to require them for masses that may be sung on stipends given by other persons. Given at our Episcopal Palace at Durango, on the 7 day of February, 1804, signed by us, and countersigned by our undersigned secretary of canonic and government. We also grant to the said Don Antonio José Ortiz, the permission, that he and the members of his family, may receive the Sacraments of Penance and Holy Eucharist at their oratory, excepting the compliance with their Easter duty, which must be done at the Parish Church. We further grant the permission, that he and the rest of the members of his family, may be buried in said oratory without damage to the parroquial dues, and all baptisms, marriages and burials that are not of the members of the family, must be had in the parish church. Signed, sealed as above.

Francisco, Bishop of Durango.

By order of his Lordship, the Bishop my  
Lord, José Antonio Aguilar, Secretary.

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## SEVENTH :

We, Dr. Don Francisco Gabriel de Olivár y Benito, by the Grace of God and the favor of the Apostolic See, Bishop of Durango, of the counsel of his Majesty, etc.: Whereas, Don Antonio José Ortiz, resident of the city of Santa Fé, in New Mexico, moved by his pious and extreme zeal, has tendered to the parist priest of the city, the use of his oratory which he has, that there might be celebrated, the divine offices, for the reason of the parish church having fallen in ruins, and that he has reconstructed the same at his expense, employing in the said work the sum of 5,000 dollars. Therefore, in order to remunerate in some manner, the benefit which he has done to the said city, in having reconstructed the parish church at his own expense; By these presents, we exempt him, from now and for the future, from the payment, not only of Parroquial dues, but also from the dues for all the Masses either law or sung, and all other functions, which due to his devotion and those of his family, are celebrated in his said oratory, all of which shall be made known to the parish priest and his successors, so that with this understanding as to this determination, they may obey and comply with them as it is customary.

Given at our Episcopal Palace at Durango, on the 25th day of the month of September, 1804. Signed by us, and sealed with our coat of arms, and countersigned by the undersigned our office and governmental secretary.

Francisco, Bishop of Durango.

Before me,

José Aguilar, Secretary.

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## EIGHTH :

Your Lordship: Up to now, I have no notice whether your Lordship has received a young Indian and other things, which I sent you last year with my son Miguel, who told me before his death, he had sent from Chihuahua as I have before expressed to your Lordship, requesting, that you again tell me, whether I have to pay the dues to the church, for the burials in the chapel, which by your concession, I have in this parish and city. for I have just paid for the burial of my deceased son, José Miguel. Not desiring to bother your Lordship, with my repeated requests, and repeating my true blind love, that I know your Lordship has for me, informing you again that the parish church in this city, after it had fallen down the first time, six years ago, I



undertook by myself to reconstruct the same, and in fact I placed the same ready for the vigas last year, owing to the damage of lightning which struck, I was obliged to tear it down again and to enlarge it ten varas. From the foundation up I extended it 8 varas and reconstructed its walls, and I have it now ready nearly up to the placing of the vigas, there missing four rows of adobes in order to be able to roof it. The sanctuary and high altar have been renewed by me, also the chapel of our Lady of the Holy Rosary and the chapel of St. Joseph, in which your Lordship has granted me the privilege and grace to have, all, from their foundations to their conclusion, sanctuary, and other ornaments have been placed by me. The sanctuary of the chapel of St Michael outside of the Parish I made myself. I have given various jewels to the parish church, not only in adornment but in services to the Mission of San Diego at Tesuque, I have made the principal sanctuary at the mission of our Lady of Guadalupe at Pojuaque. Today, by virtue of the concession made to me by your Lordship, there is no other tabernacle in this city, than the one that is maintained in my oratory, from which come all the viaticums given in the neighborhood of this city and for the troops of the garrison. On every Thursday, I pay for the mass of renovation all of which are performed with the greatest devotion and solemnity, and many other things that I omit, so as not to importune your Lordship. Therefore I pray your Lordship to grant me, if it be your pleasure, that pious grace of exception and distinction that your lordship may deem proper to grant to me. I also pray that you grant me the concession of an oratory, for my private use, in order that I may prepare and adorn the room, which I shall dedicate to Our Lady of Guadalupe, at my ranch and home at Pojuaque, to which I always retire so as to breathe the fresh air of the country, for the relief of my ailments, and in which I may be able to hear the holy mass, together with those of my family and servants. If I should merit this grace with the favor of your Lordship, I pray that it be extended permanently and also to my successors, after my death, which will be taken care of by one of my sons who will remain at the said ranch. I am aware, Sir, that the parish priest, Don José Maria Bivian de Ortega, who was the parish priest in this city, with knowledge of this concession, did all in his part to prevent me from burying therein all my children and other persons of my liking and appreciation. God Our Lord, give pros-

perity to your important life, and grant to your Lordship many years to live as I desire for you, for the help and consolation to me and your entire flock. At the feet of your Lordship, I remain, most revered sir; Antonio José Ortiz. To the Very Reverend Bishop of Durango, Francisco Gabriel de Olivares, Durango, January 25, 1805. Having received this request, and being aware, from information, which we have received that all that which is alleged, is certain as expressed in the petition, of the expenses made and incurred for the divine cult of God, we grant with all our will, everything which is asked for, with the exception of the oratory on his ranch at Pojuaque, which must be public, and in which all that is required, is that the room designated for divine service, have a door to the street, and that the faithful be called to mass, when it should be celebrated, by a small bell rung in the due and customary form in said oratory. It was so decreed, ordered and signed by his Lordship the Bishop, to which I testify. Before me, José Aguilar, Secretary.

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#### NINTH :

We, Dr. Don Francisco Gabriel Olivares y Benito, by the grace of God and the favor of the Apostolic See, Bishop of Durango, and of the counsel of his Majesty, etc. By these presents we grant a plenary indulgence to all the priests who may celebrate Mass in the altar of the oratory of Doña Rosa Bustamante, resident of the city of Santa Fé, in New Mexico, on the feast of our Lady of Guadalupe, as also to all those present of either sex who may hear the mass, and on the rest of the days of the year, forty days indulgence, so much so to the priest who may celebrate the mass as to the faithful who may assist at the same. Given at our Episcopal palace at Durango, signed by us, and countersigned by the undersigned, secretary of office and Government on the 13th day of December 1807.

Francisco Bishop of Durango.

By order of his Lordship, the  
Bishop my Lord, José Aguilar,  
Secretary.

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#### TENTH :

Mrs. Rosa Bustamante: His Lordship my lord, grants to you the grace which is requested through the Rev. Parish Priest of this city, or any other priest who may be there, to celebrate the Holy Mass on feast days, in your oratory that



you may have the joy of complying with the precept of the Church, and that by showing this to the Parish Priest of the city, Fray Francisco de Hocio, or to the one who due to his absences, sickness or death, may be acting as Pastor, he may without any scruples, use this privilege and requested grace. God may grant you many years of life. Durango, January 13, 1807. José Aguilar, Secretary—(what is scratched out does not count).

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#### ELEVENTH:

Sir Provisional Judge and Capitular Vicar;—Don Santiago Baca y Ortiz, a cleric of the first tonsure, from this domicile, coming from the village of Santa Fé in New Mexico, before your lordship, in the best that may be, that Doña Rosa Bustamante, writes from that Capital, she having been the wife of Don Antonio José Ortiz, deceased; both of them my grandparents, to whom, due to their known piety, his Lordship my Lord, whom God rest in peace, Dr. Don Francisco Gabriel de Oliváres y Benito, granted the grace of having, in their home, an Oratory, for public use, wherein the Holy Sacrifice of Mass might be celebrated; and they having constructed and adorned the same to the benefit of many souls who enjoyed it, all having been done at the expense of my said grandparents, and who, also, besides this grace, obtained from the piety of His Lordship the privilege of having therein, the Blessed Sacrament in the Tabernacle, and that all the sacraments might therein be administered except during the time of Easter, at which time, they were to comply with their Easter duties at the parish church, but the owners and family and servants might comply with the duties of the church at the Oratory, but none others. For such concessions, it was natural that they should pray for the soul of the deceased prelate. But due to an erroneous occurrence, these privileges have not been renewed, therefore, I come before you in person and for others, that you may be pleased to renew the said privileges and concessions conferred, and in the meantime, that I may be enabled to examine the original papers, in order to present them to your Lordship, making at present this petition, in precaution that the parish priest, might stop the functions in the said Oratory, with just reason, already indicated to you. I pray your Lordship, to be pleased to accede to my present solicitude, supplication and petition for which I pray your grace and grant. I swear, etc.

Santiago Baca y Ortiz.



Durango, January 12, 1813: These presents having been presented, and in consideration of all that has been expressed by the petitioner, using the faculties existing, I give permission and license so that in the said public Oratory, mentioned, the holy Sacrifice of Mass may be celebrated, as also to administer therein the Sacraments, under the condition, that with the least delay possible, there be remitted to this tribunal, the licenses granted by the deceased Prelate, that upon their examination, we may proceed to their renewal, in such manner as we might feel convenient, as only in order that there might not occur any damage, do we accede to the said petition, provisionally, and in particular not to cause any damage to the parroquial rights.

By Dr Don Francisco Fernandes, Valencia, Dean of the Cathedral Church, Synodal Examiner, Provisional Judge, and Capitular of the vacant see, so decreed and signed, before me, as to which I testify: Fernandez, Before me, José Miguel de Irigoyen, Secretary of Government.

*Santa Fé, N. M.*

# A CHIRICAHUA APACHE'S ACCOUNT OF THE GERONIMO CAMPAIGN OF 1886

*By* MORRIS E. OPLER

## INTRODUCTION

During the years 1931-33, while I was engaged in ethnological research among the Chiricahua Apache Indians now living on the Mescalero Indian Reservation of New Mexico,<sup>1</sup> one of my most helpful informants was a fifty-seven- or fifty-eight-year-old man, Samuel E. Kenoi. In 1932 a long autobiographical account was recorded from Mr. Kenoi. The pages that follow comprise the section of that life story which has to do with the 1885-86 campaign against the Chiricahua leader, Geronimo. Many of the American military leaders who participated in that campaign have offered, in reports, articles, and books, their versions of the event. It is certainly in order that the less articulate Chiricahua be consulted before we may say that all relevant historical material concerning the episode is before us.

The Chiricahua Apache tribe may be divided into three bands, the Eastern, Central, and Southern Chiricahua. Before the reservation period, the Eastern band, better known as the Warm Springs Apache, ranged mostly in southwestern New Mexico.<sup>2</sup> Mangus Colorado, Victorio, Nana, and Loco are some of the better known leaders of this band. The Central Chiricahua, led at various times by Cochise, Chihuahua, and Naiche, controlled the southeastern part of Arizona.<sup>3</sup> The Southern Chiricahua, with whom the names Geronimo, Bonito, and Juh (Who, Whoa, or Ho) are

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1. This research was made possible by the Laboratory of Anthropology of Santa Fé, the Southwest Society, the University of Chicago, the Social Science Research Council, the National Research Council, and Columbia University.

2. The Chiricahua name for the Eastern Chiricahua is Teihende, "Red Paint People."

3. In their own language the Central Chiricahua are known as Tcokanene. The word does not yield to linguistic analysis.

to be identified, lived primarily in the state of Chihuahua, Mexico, but frequently entered southern Arizona as well.<sup>4</sup>

In order to settle and pacify the two bands living wholly within the boundaries of the United States, reservations were established. In 1872 a reservation was set aside in the Dragoon Mountains of Arizona for the Central Chiricahua under Cochise. Previously the Ojo Caliente Reserve in western New Mexico had been established for the Eastern Chiricahua or Warm Springs Apache. Under this policy, which allowed the bands to remain by themselves within their former territories, conditions improved markedly. Serious trouble broke out when these reservations were abolished after 1875 and an attempt was made to concentrate all Chiricahua on the White Mountain Reservation (now the San Carlos and White Mountain reservations) of the Western Apache. The Chiricahua bitterly resisted removal and failed to make a satisfactory adjustment to the Western Apache, from whom they considered themselves separated by a sharp difference in dialect and customs. At the time of the removal of the Chiricahua to the Western Apache Reservation, as many Southern Chiricahua as could be found were taken, too, but quite as many were not apprehended. As the following narrative attests, the distrust of the Western Apache, the nostalgia for their former homes, and the resistance against the close supervision of the white military, led to frequent escapes of small Chiricahua parties and marauding expeditions. Many of these raiding parties became involved with the unsubdued Southern Chiricahua in depredations or fled to Southern Chiricahua territory for refuge, and it was not long before the Southern Chiricahua who were still at large were the target of the military and an attempt was made to place them at San Carlos as well. Since the Southern Chiricahua operated on both sides of the border, it was necessary for General Crook, in his campaign of 1883, to cross over into Mexico to conquer these Apache and to bring a large number of them to San Carlos.

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4. The native name for the Southern Chiricahua is Ne'na'i, "Enemy People."



The increasing number of outsiders was hardly welcomed by the Western Apache. Suspicion and unrest continued, friction increased, a conflict over authority between civil and military officers added to the uncertainty and confusion, and in 1885 Geronimo, Chihuahua, Mangus, and Naiche had again left the reservation with their followers and resumed raids throughout New Mexico and Arizona. General Crook followed and carried on the war until he was relieved of command in favor of General Nelson A. Miles. The surrender of Geronimo, September 5, 1886, ended the contest.

The father of the narrator was a Southern Chiricahua, but he was in no way involved in the Geronimo outbreak. Many other Chiricahua not only refused to heed the advice of the headstrong leaders, but rendered signal service to the United States troops throughout the expedition. Mr. Kenoi gives special credit to two Chiricahua, Charles Martine and Kaitah, for locating the hiding place of Geronimo in the Sierra Madre and for inducing him to surrender. That estimate of the contributions of these two men to the final victory has been concurred in by Captain John G. Bourke (*On the Border With Crook*) and Britton Davis (*The Truth About Geronimo*). The subsequent imprisonment and removal from the west of the entire tribe, including the peaceful and coöperative elements, is still a source of bitterness and reproach, as Mr. Kenoi's account indicates.

#### A CHIRICAHUA APACHE'S ACCOUNT OF THE GERONIMO CAMPAIGN OF 1886

I was born in 1875. I remember the last time Geronimo went on the war-path. That was in 1885, but I had heard about his taking the war-path before this.

My father was a Southern Chiricahua. He ran all over the country, here, there, and everywhere. Ho<sup>1</sup> was the leader of my father's group, which was a small group. But

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1. Ho, also written Juh, Who, and Whoa in reports and historical accounts, was a Southern Chiricahua leader. His son, Asa Datlogi, is still living at Mescalero.

my father did not stay with them very long. He went to San Carlos, to Fort Apache, to Mescalero. My father was never with Geronimo on the war-path.

But one time my father and another man by the name of Adis, Tom Duffy's father, were chosen as scouts at Fort Apache. This was before Geronimo escaped for the last time. There was a big hostile band out before Geronimo went. Ho was chief of that band. It was a Southern Chiricahua group. The United States Army officers selected my father and Adis to go out after them. Small round tickets with numbers were issued to my father and Adis by the army officer. Only the oldest scouts were issued tickets in this way. You had to be a scout in order to get one, and you had to be recognized in Washington too. These tickets were issued to the Indians by the officers just the same as they were issued to their own white scouts. After these two men were selected, they were issued an army rifle, Springfield 45-70, with belt and cartridges and plenty of ammunition. The two men were told to go and get Ho's band, make peace with them, and bring them in. This happened about 1873.<sup>2</sup> Because my father and this other man were Southern Chiricahua and Ho's band was Southern Chiricahua, they were told to go and get them. My father and Adis went out, because my father had many relatives by marriage in Ho's band.<sup>3</sup> They went over and got those Indians and brought them back to Fort Apache.

From the way they talked in the old days, it seems that the Indians didn't say much about the white people except what good they were doing, giving them plenty of blankets and rations. They seemed to be on good terms with them in those days. Even during the wars the peaceable Indians at the agency talked like that. They said the white man came from across the ocean.

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2. This date is probably set too early, since few Chiricahua were settled in Western Apache country prior to 1876.

3. The relationship bond and especially the rights and duties of affinities in respect to one another were much emphasized by the Chiricahua and the men evidently depended upon this factor to bring them through safely.

What they didn't like was so much ruling; that's what they didn't like. They didn't have all the Indians at the agency in those days. It was the people who lived around the agency, who saw white people all the time, who were controlled. The people out away from the agency were wild. That's why some thought the white men had queer ways and hated them. After they got to know the white man's way, they liked it. The white men gave them new things, new food, for instance. But it was the new-comers like Ho and Geronimo who didn't like the white man. If there was any ruling to do, they wanted to do it.

The Indians and the Mexicans were enemies. The Indians thought the Mexicans were no good. It seems that even the different Apache groups, like the Southern Chiricahua and the Central Chiricahua, were not so close. It was the country. They loved the country, the place where their parents were born. They claimed that country.

Looking back over the way those Indians lived, it seems to me that the Department of the Interior or the War Department was just trying to outlaw the Indians, just to have something to do. They put the Indians on a reservation, trying to civilize them; and in place of civilizing them, they herded them in on that reservation, naked, starving, sad, too far from any white people. The nearest school the government had in those days was in Carlisle, Pennsylvania. There was no Indian school in Fort Apache or anywhere near in those days. The only white men they sent out were some very rough army officers, as rough as they could find in the United States Army, to put in charge of these poor ignorant Indians.

I remember seeing General Crook directing the Western Division of the United States Army. He had been to this reservation. It is very cold in Fort Apache in winter. Still they were living in brush huts with whatever they could get hold of, a piece of cowhide or sheep hide, to prevent the water from going through their huts.



General Nelson A. Miles was second in charge of these Indians. He relieved General Crook. He also saw the conditions. Instead of making conditions a little better, his soldiers were always scaring small groups here and there. Then these frightened Indians would go on the war-path.

This is the way it would happen. Suppose Ho was on the war-path, and suppose Naiche<sup>4</sup> was on the war-path, and suppose Geronimo was on the war-path. Well, they might send two Apache to Ho to get him to come back to the reservation in a peaceable way. The government might send two men after Naiche. The government might send two men after Geronimo. They might all come back at the same time to the agency. When they got back on the reservation, these three groups would be full of fear. They might think they were going to be hung or have their heads cut off. So they were sure to listen and try to find out what was said about them. They would go around to this camp and the next camp to learn. They were full of fear.

The soldiers would point to them, asking, "Which is Naiche? Which one is Ho? Which is Geronimo?"

In order to get some fun out of them, a soldier might run his hand along his throat as if to slit it, when the officer wasn't looking.<sup>5</sup> Then the Indians would be more afraid than ever; something would be done about it. Those three, Ho, Geronimo, and Naiche, would hold a secret council when everybody was asleep that night. They would say to each other, "That white soldier met us and made a motion as if he were cutting his throat. It's bound to mean something. He might be a good man trying to let us know just what they are going to do to us.."

They would take it that way. They would think that white soldier was a kind fellow, that he was telling them that they were going to have their heads cut off. That soldier did it for fun and never knew why those Indians left the

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4. Naiche was the son of Cochise, the great chief of the Central Chiricahua. Naiche's sons, Christian Naiche and Barnabas Naiche, are now living at Mescalero.

5. All old Chiricahua agree concerning what they now recognize as obvious attempts of the white soldiers to terrorize them.

reservation again. But those Indians were wild. They didn't know any better.

The Indians who had been on the war-path would listen to find out anything that was said about them. A soldier, a private, might say, "Those Indians ought to go to jail," or, "Those Indians ought to be killed for that." Maybe some uneducated Indian who knew just a little English would hear this. He would spread the news that the Indians were going to jail or were going to be killed. And off they would go again.

The Indians on the reservation stayed around the agency buildings when the bandits were out, because the bandits would capture anyone who could carry a gun and make him go with them. And they took women too. If you wanted a horse from pasture, you would have to send a little boy for it to be safe.

Rock piles and mountains bounded the reservation. I was a little fellow. I didn't know the boundaries. But my father and mother knew them, and all the older people knew. My father was already on the reservation when I was born. My father was first brought to the agency by General George Crook. It was before my time. They told him, "Here is your agency, Fort Apache. You can go from here to San Carlos. You can camp anywhere between."

I think it was in 1871 that many groups of Indians were put on that reservation. They had to comply with the regulations and orders. Anyone violating the laws against killing and stealing was punished. Most of the Indians complied with the regulations. Just a few didn't.

There was Geronimo, for instance. He was called a human tiger.<sup>6</sup> He would rather be on the war-path than anything else. He would advise his parents' group, and his wife's relatives, and any other relatives, to leave and he

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6. The informant has seen a very popular commercial picture of Geronimo with this phrase on it and has picked it up.

would take them out with him.<sup>7</sup> And since I have thought about Geronimo I feel this way: He was always suspicious of living on the reservation as other Indians did. He was always afraid. Then there was his foolish ceremony.<sup>8</sup> He thought the white people were going to kill him or send him to jail somewhere. Then he would hold his ceremony and see some vision and it would say, "Go out on the war-path."

Ho was Asa's<sup>9</sup> father. The name doesn't mean anything. He was called that because he stuttered. He was a war shaman, and during the trouble with the white men he had a great deal of influence. He always managed to keep a few men stirred up and out raiding and fighting. Then the whole tribe would be blamed for it, and it was because of men like him that we were held prisoners of war and were treated as we were.

Geronimo was nothing but the same kind of man, an old trouble maker. He was a shaman. He was as cowardly as a coyote. You can ask men like Perico what he was like.<sup>10</sup> Perico is a brave man and was one of the best Apache fighters. He is well known for this, as was his brother, Eyelash, who was also called Fun. Fun was a great fighter. He killed himself in Alabama.<sup>11</sup> Perico will tell you how he and others did all the fighting while Geronimo stayed behind like a woman.

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7. Geronimo was not a chief in the accepted Chiricahua sense of the term. As this passage indicates, his influence was exerted primarily on relatives and close friends. This is one reason why those over whom he had no control resent the fact that the government exacted the penalty from them as well.

8. Among his own people Geronimo's chief claim to prominence prior to his defiance of the white forces, was his ceremonial power. One of his ceremonies was designed to determine the whereabouts and intentions of the enemy. During the period under discussion he used this to predict the actions of the white man. Since he had definite fears in respect to this subject and since his ceremony was the servant of his fears, the directions of his "power" were likely to involve him in flight and further difficulties.

9. Between Ho's son, Asa, and the narrator, there exists sharp political rivalry and some personal animosity. Ho has been consistently described as aggressive and cruel, however.

10. Perico has died since this story was recorded.

11. Fun is said to have injured his wife in a fit of jealousy. Thinking he had killed the woman (she later recovered) he took his own life.



Once Geronimo's men were caught in a cave by the Mexican soldiers in Old Mexico. The women and children of the party were in there too. The Mexicans set fire to the grass all around and tried to smoke and burn them out, and they kept up a steady fire into the entrance of that cave. The Apache were falling right and left. Instead of standing up and fighting, Geronimo got behind the women and children. Women and children were dying right on top of him, with their blood running down over him, and he was under them, burrowing in the sand. One of his soldiers caught him by the feet and pulled him up and said to him, "Where are you going? You were man enough at the start. Why don't you stand up now and fight like a man?"<sup>12</sup>

I know plenty of stories like this about Geronimo. Now some of the young people try to make him out a hero. They say he was a fine man and stood up and fought for his country, and things like that.

I was talking about him once at Fort Sill,<sup>13</sup> and one Indian said to me, "What do you know about Geronimo?"

I said to him, "I know plenty about him. I know that he and a few others like him were the cause of the death of my mother and many of my relatives who have been pushed around the country as prisoners of war. I know we would not be in our present trouble if it was not for men like him, and you honor him for that!"

I remember how it was at Fort Apache. Most of the Indians were peaceful. They were attending to business. They were raising crops. They had their sheep and cattle and were getting along very well. Then somebody would say, "Geronimo is out again," and there he would be with a small band of about forty men up in the mountains. Pretty soon he would raid a settlement here, or kill a person, and the whole tribe would be blamed for it. Instead of coming and getting his rations and settling down and trying to be civilized, he would be out there like a wild animal, killing

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12. I happened upon this story a number of times during my stay.

13. Fort Sill, Oklahoma, where the Chiricahua were quartered as prisoners of war from 1894 to 1913.

and raiding. Then they would organize the Chiricahua scouts and send them out after Geronimo's men. In this way he caused Apache to fight Apache and all sorts of trouble to break out among our people.

Naiche was one of the sub-chiefs under Geronimo. Naiche was a good man in some ways, but you couldn't civilize him. He liked his Indian dancing, and he liked his fighting, and he liked his drinking. You could make a good soldier out of him, and that was all. He was always influenced by Geronimo. Mangus was another trouble maker. He always had three or four men on the war-path, and the whole tribe would be blamed. His daughter is still living here. She is George Martine's wife. This is not Mangus Colorado, but another Mangus. Mangus Colorado lived before this and was a good man. Roger Tulane is his grandson.

I asked Perico who were the best chiefs he knew. He said Mangus Colorado was by far the best of them. Perico is an old man, even older than Chatto. He says that when he was a boy he saw Mangus Colorado sign a peace treaty for the Indians. This treaty was signed July 1, 1852, according to a government paper that I have. Perico says that he was twelve or fourteen years old then. He says that Tcic was second best.<sup>14</sup> Tcic was Christian Naiche's father's father. He says that Bonito, a Southern Chiricahua, was the next best man. Loco, Johnny Loco's father, was afraid, he said, and just hung around Warm Springs.<sup>15</sup> Victorio was another trouble maker.

At Fort Apache they said Geronimo was always suspicious. There were two women and three men who were secret service agents for Lieutenant Davis. They were Western Apache. These are a different tribe. That is what caused many of the stories that were going around.

14. Tcic, "Nose," known to the whites as Cochise.

15. Johnny Loco is still living near Apache, Oklahoma. In 1913 when the Chiricahua were freed from military supervision, some chose to remain in Oklahoma and receive allotments; most decided to take up residence at Mescalero, New Mexico. Johnny Loco accepted allotment in Oklahoma.

The two women who were secret service agents would go after midnight to these army officials and tell them what had been said, what the Indians intended to do. Most of the trouble came through the Western Apache. They told stories, mostly false. We don't know who the secret service people were. But I don't think the government officials can deny that they had secret agents, men and women.

Really the reservation belonged to the Western Apache. It was their land just as other places belonged to other groups. There were the Warm Springs Apache. There were the Central Chiricahua; they had a little strip of country away from the reservation. The Southern Chiricahua had another little place of their own. And there were the people of Mount Mora and Baronko. There were small groups here and there, relatives and people related by marriage, people who knew each other, scattered out in different country. The Mohave Apache<sup>16</sup> had their own country, and they were brought there too. In about 1871 the United States Government started to herd the Indians on the reservation. It reached the Warm Springs Indians and those other groups. They spoke the same language. These groups were put on these two reservations, San Carlos and Fort Apache.<sup>17</sup>

The Chiricahua got along all right with the Western Apache at first. Then the Western Apache in about a year began to be uneasy, began to be jealous of the other tribes on their reservation, though these Chiricahua were put there and compelled to live there. When these Western Apache, who had owned that reservation before we were put there, began to have a jealous feeling against the other tribes, they told the agent and other army officials some false stories so they might get something to do from the government if the Chiricahua went on the war-path.

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16. The Yavapai, who are often mistakenly called Mohave Apache, are meant. They are in no way Apache and speak a language of an entirely different linguistic stock. Some of them are still living on the San Carlos Indian Reservation.

17. Fort Apache was the agency center for the White Mountain Reservation.



The name we called the Western Apache Indians, Biniedine,<sup>18</sup> was made long before my father or his father. It meant, according to the old people, that they were foolish, didn't have much sense. There are a good many stories that show how well this name fitted them. There were not many marriages between the Western Apache and the Chiricahua, not as many as between the Mescalero and Chiricahua here.

The Navaho acted as scouts against the Chiricahua on the war-path, and so did a few Pueblo Indians and some of the "People without Moccasins." These are a people in Arizona, around Tucson somewhere. I think they are the Pima. They were barefooted. If they got stickers in their feet they just rubbed them off on the ground.

In 1885 Geronimo went on the war-path again. Some of those who stayed on the reservation were sympathetic toward Geronimo because they didn't know any better. General Nelson A. Miles, General Lawton (Captain Lawton at that time), Captain Crawford, 1st Lieutenant Gatewood, 2nd Lieutenant Britton Davis, were all at Fort Apache.

Uncus<sup>19</sup> father, George Noche, was called by General Miles one night. General Miles said, "I want you to organize the Chiricahua Apache Scouts to run down the renegades."

And I feel that General Miles did the right thing to organize Apache scouts who knew the country in Arizona, New Mexico, and Old Mexico. These Indian scouts were familiar with all the water holes, with all the rough country, and all the trails in that region. George Noche was highly respected by General Miles. Whenever General Miles wished to do anything about the bandits, he asked George Noche.

After the troop was organized, they gave them two rounds of ammunition and issued them Springfield U. S. Army rifles. The only thing they issued them in the way of

18. Literally "People with no Sense." All Western Apache groups are called this by the Chiricahua.

19. Uncus, a blind Chiricahua now past middle age, was alive and was employed as agency interpreter at Mescalero when this story was being recorded.

clothing was a coat, a black uniform coat. To show who was a non-commissioned man and who was not, they wore their coats. Those non-commissioned wore their stripes according to what they were. And they made George Noche sergeant-major. They claim George Noche knew all the country. He was not a leading man among the Indians, however.

Another night George Noche was called again. That night General Miles told Noche, "I'm going to give you two days and two nights. I leave it to you to decide which is the best way to get Geronimo and his band. I have sat here day and night and I have tried my best with white troops to catch Geronimo, but all my attempts seem to have failed. Now I give you two days and two nights to think about it, and on the morning of the second day you come back and let me know. That's why I called you over here." That's what General Miles told George Noche.

So George Noche told General Miles, "There is no need for you to give me two days and nights to think it over. It seems to me right now I know how to get that man. I appreciate and thank you for the high respect you show to me to do this important work. Now I want to tell my plan to get that man. If it doesn't work you can get someone else. It's the best I can do. If you agree to it we can set out tomorrow.

"Here's my plan. I have two men here for you, Kaitah and Martine. I will have a talk with them in the morning and bring them over to you. I will tell you the reason I have chosen these men. Martine has many close relatives in that band and so has Kaitah. Also Geronimo is Kaitah's relative-in-law. So it would be almost impossible for those bandits to kill these men. It is impossible to send any other men, for they will not come back alive."

General Miles was well pleased with Noche's idea. He said, "We must do that."

George Noche saw Martine and Kaitah. In the morning they went to General Miles with George Noche. They agreed to it. He enlisted them as scouts, issued them guns and gave

them each a mule. So they went out the following day, starting for Mexico. They told General Miles that when they got Geronimo they would bring him to Fort Bowie, Arizona.

Those men went by themselves with Lieutenant Gatewood of the 6th Cavalry. In a day or so the 3rd Cavalry with a hundred Indian scouts set out for Mexico too, to look for him. And in the meantime Mexican soldiers ran Geronimo into Arizona; then these soldiers chased him into Mexico again. They were hot on his trail.

Crawford had his troops and Indian scouts close to the Mexican border. For some reason Crawford's troops were several miles behind, but Crawford was with the Indian scouts ahead. This was in Old Mexico. It was on a mountain. Then they met a Mexican troop of about five hundred or more soldiers. They were after Geronimo too. The Mexican troop was here on a flat, coming up to them. The Mexican troop stopped, and the Indians were on a ridge over there with Captain Crawford. There were about five hundred Mexican soldiers lined up, and Crawford only had about a hundred Indian scouts. The commanders of these Mexican troops got together in front. They started to march over there. And then all at once as these officers were going along, one of these men began to shoot.

Crawford got up. He took his handkerchief out and waved it. He said, "We're United States troops. We're friends."

But those Mexican officers didn't pay attention to Crawford. One of them shot him. He fell down to the rocks below. The Indians had told him not to get on that rock, but he did not think the Mexicans would shoot. He had another army officer with him, 2nd Lieutenant Maus.

The Indians loved Captain Crawford. After they saw him knocked off that big rock one Apache who could speak Mexican said to the Mexicans, "Don't run if you are men. You're going to meet up with men today."



The Mexican officers cursed them right back. They said, "We are the troops that cleaned out Victorio's bunch."<sup>20</sup>

The Indians told them, "Right from where you are now, you are not going to make tracks for another place."

And they were standing behind trees, two or three of them behind every tree, and they said, "We are the ones that killed Victorio, and we can kill every one of you today."

Then the scouts got a couple of pack mules with ammunition. Maus didn't want them to fight. But they said, "They killed our commander, now let's go over this Lieutenant's head and kill them. Half go one way and half stay here along the ridge."

And they threw the ammunition down and filled their belts and pockets. One half said to the other, "We're going to cut loose on them from the side."

The Mexican officers felt that they had more men, so they were eager to fight. They kept saying, "Why don't you shoot? You just sit up there and talk. You're no women!" That's what they said.

So this Indian said, "All right, get ready. We're going to fire on you right now."

The Indians were all strung around on the ridge. They fired on the Mexicans. The way the old men tell it, and they laugh about it, is that the officers were falling over each other behind those trees trying to get out of the way. The trees were just riddled. Every one of these officers was killed. And the other half began shooting on the soldiers. They killed about a hundred and chased them.

I heard the story then and I still hear it told. Sundayman, Benjamin, Paul, Cooney, Arnold, and lots of others were there. Perico was on the war-path with Geronimo. Stephen and Evan Zozoni were there.<sup>21</sup> Some of the scouts were out with other troops. There were many bands looking for Geronimo.

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20. Victorio was killed and his command almost annihilated in 1880 when he met a superior force of Mexican soldiers in Mexico.

21. Of all the men mentioned here, only two, Arnold Kinjoni and Stephen Gaji, are still alive.

The Indian scouts gathered together again after the Mexicans put up their white flag. They were gathering up their dead. They carried Crawford. He was still alive but he couldn't talk. They didn't have any doctor with them. So they took him in a sort of crate made from long poles which a mule dragged. The Indian scouts did the best they could, but he died before they got to Fort Bowie.

Meanwhile Kaitah, Martine, George Wratten, and Gatewood were out. All the troops and Indian scouts were looking in different parts of the country for Geronimo. And Kaitah and his bunch were trailing them too. A body of troops was following Kaitah and the others, many miles behind.

They came to a mountain called Sierra Madre. They were down at the foot of the mountain, and they saw those men at the top of the mountain. While they were down on the flat, Kaitah hoisted up a white flag to them. Kaitah says Martine was afraid to go up. Martine must have been behind him, always tying his shoestring or something. Kaitah told the two white men to stay down, and he started up with the white flag. When Kaitah got about half way up he looked back. Martine wasn't anywhere in sight.<sup>22</sup>

Geronimo's men were pretty well armed and ready. Before Geronimo knew it was Kaitah he ordered his men not to let any man get up to that place or down alive.

Kaitah kept on going up till he got in sight, and they knew it was Kaitah. He stopped once in a while, for he thought they were going to shoot at him.

After they were sure it was Kaitah, his relatives said, "Come on up. No one is going to hurt you."

Then he went up there. He sat up there and talked with all those men. Still Martine hadn't come in sight.

Kaitah told these men, "All of you are my friends, and some of you are my brothers-in-law. I think a lot of you

22. There has been some dispute between the Martine and Kaitah factions concerning the bravery of Martine on this occasion. Certain it is that Kaitah was more closely related to members of Geronimo's band and therefore stood in least danger. Both Kaitah and Martine acted as informants for me during my ethnological field-work. Kaitah has since died, but Martine was alive in 1935 and may still be living.

Indians, and I don't want you to get killed. The troops are coming after you from all directions, from all over the United States. You people have no chance whatever. The War Department's aim is to kill every one of you if it takes fifty years to hunt you down. But if you people come as the government wants you to do, they will not harm you at all. Everything is against you. Even pieces of stick will hurt you. At night you do not rest as you should. If you are awake at night and a rock rolls down the mountain or a stick breaks, you will be running. The high cliff even is your enemy. At night you go around, and you might fall off the cliff. You have the wild animals for your enemies. You even eat your meals running. You have no friends whatever in the world.

"So I beg you, my friends, do what the government wants you to do. That's what I'm up here for. I have followed you people around for several months. It's not a very pleasant life. So agree with me. I live at the agency. I live peaceably. Nobody bothers me. I sleep well; I get plenty to eat. I go wherever I want, talk to good people. I go to bed whenever I want and get all my sleep. I have nobody to fear. I have my little patch of corn. I'm trying to do what the white people want me to do. And there's no reason why you people shouldn't do it. I'm doing it. I know you people could do it. You all agree with me and behave yourself and go back to the reservation with me. We'll live longer, more happily, and rest better. So I want you to go down with me when the troops come, and they want you to come down on the flats and have a council with them."

Then all these men said, "All right, we'll do what you say, and we'll come down."

Kaitah had kept watching for Martine. Martine hadn't come up yet all through the conversation. And Kaitah wondered what was wrong, and he went down a little way. There was Martine coming, listening for gun-fire too, I guess. And when Kaitah came to Martine he ordered him to go down and tell Wratten to run his horse back and get



those troops on the flat as fast as possible. So Martine went.

When he came back Kaitah was eating and joking with the men. Then the troops came. They came where Lieutenant Gatewood was. So at that time they sent a despatch to Fort Bowie that they had Geronimo and that General Miles should meet them half way. Then they brought all those families down.

They had a little talk. They came to an agreement to take them to Fort Bowie. Right here one army officer told them that General Miles would meet them on the way to Fort Bowie. They hadn't disarmed them yet. That day they took them and went with them all day till dark. They weren't guarded. Some of those men were running on the side, hunting as they went along. Next day General Miles met them. He came in a government stage coach. They met again the next day.

General Miles, when he met them, asked Geronimo to hold a conference with him. General Miles, the way Kaitah tells this story, said, "The people of these three states, the State of Arizona, the State of New Mexico,<sup>23</sup> and the State of Mexico, are enforcing laws to capture you or bring you back dead. We were forced to look for you. When we are forced to look for you, we must carry out our orders. We are like slaves. We have to do according to what the people of the United States say. In these two states, New Mexico and Arizona, the governments and the people do not like the way you have been treating them, killing them, taking their stock and destroying the homes of the settlers. They made a law to force the War Department either to kill you or bring you back alive. If you fight, we will kill you. If you surrender, we will bring you back alive. You have killed many settlers, killed many soldiers, and taken their horses and mules and other equipment. The people do not like it. You see those mountains over there. If you do not agree with me that what I am telling you is the best thing you could do, I give you the privilege to go to your mountains. I'll give

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23. Both Arizona and New Mexico were still territories at this time, of course.

you a whole night and a day before I follow your gang. Then I shall kill every last one of you, even your children. But if you want to go back with me to Fort Bowie and be peaceful and faithful like other Apaches who are at Fort Bowie and San Carlos, all right. Take your choice.

"The government has spent several million dollars in order to catch you. You have taken many lives. You have destroyed many homes. Those people you have destroyed are human just like you. They wanted to live. Why should you do that? And there's Kaedine.<sup>24</sup> He was one of the dangerous young war chieftains. He's right here in the midst of us now. He has rendered me a great service. A two year sentence in a California Federal prison has done him good. Since he got back he admits that he used to do wrong. I have high respect for him, for turning into as good a man as he is since he got back.

"Now, Geronimo, Naiche, all you men, members of this band, you could do as well as this Kaedine did, maybe better. Instead of that you have everything on earth against you, and you live, dodging people, like a coyote, ambushing innocent people. I'm here under authority to take you to Fort Bowie. There I will put you in prison until further orders from Washington. Now I'd like to hear from you," he told Geronimo.

Now Geronimo talked. He didn't say very much. What little he said covered a lot though.

"I agree with you about taking us back. You said just the right thing when you told me that everything is my enemy. It's just the way of you white people. You always have a ground of your own to make your statement as though it was the only true statement. But there is still something that causes you to criticize us in that manner.

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24. The name means "No Arrows" and implies that the individual is so brave he has shot them all. Kaedine was one of the leading spirits of the Chiricahua raids of the early '80's. After his surrender to General Crook in 1883 the prison sentence to which reference is made was imposed. After his return he assisted the government in pacifying the rest of his tribesmen.

The earth is listening to us. The winds listen to us. The sun sees us and hears everything we say, all these things.

“The second time I went on the war-path it was because of your having so many Indian secret service men telling you some false story about me. ‘Geronimo is going to do this,’ ‘Geronimo says this,’ ‘You ought to have Geronimo in some jail,’ and so on. Some of your own white soldiers, when they saw me and some of my men, would motion as though they were going to cut our throats.

“When I was on the reservation before, you people taught me nothing. You did not come to my home or teach me how other people live. You are here right in the midst of these soldiers. Where have you ever tried to help me? Then you criticize me for killing white people here. I did kill many Mexicans, but I have never killed as many white people as you say I have. I know some of your big generals. You become generals just because you are good liars. Why I tell you that you are a liar right in the midst of your troops is that you never have caught me shooting. And now, General Miles, I have come with my men to you with good will, but I know just what you are going to do. You will say this, I know: ‘I have caught Geronimo while he was shooting and made him surrender to me.’” That’s what he told General Miles.

“I’m here. The earth, the sun, and the winds all listen to me. Yusr<sup>25</sup> listens to me. I do not lie to you. I lay my arms down. I will not ask for mercy. If you wish, line us up and shoot us today or tomorrow. I won’t care. I’ll take my medicine like a man. So here’s my gun.” And he and his men laid their guns down.

Then General Miles talked again. He shook hands with Geronimo. “No, don’t have that idea, Geronimo. We do not kill people who don’t offer any fight. What I said a while ago to you, I repeat. I will take you back to Fort Bowie, have you under guard as prisoner until further orders from

25. Yusr is an Apache loan word from the Spanish *Dios*. The final *r* is a relative, having the force of “he who is.”



Washington. As I said a moment ago, I have to carry out my orders from the War Department." And General Miles said, "I myself do not like the idea, but I'm a soldier of the United States, and I get my orders. If I don't obey them, they have me under guard just as I'm going to have you under guard. Don't worry about what they may do to you, for you are causing all this trouble; you brought it on yourself."

So they took all their arms. Then they decided to go. They took Geronimo in that coach, and Naiche and Perico and the principal men rode with Miles. The men, women, and children were followed by Indian scouts and several troops of cavalry. In a day or so they were in Fort Bowie. They had Geronimo already under guard in prison when the rest got there. They had that small band in prison, women, children, and all. They had those men and women under armed guard, had them working with picks and shovels making ditches around the post. They had Chihuahua's little band, just a few men, already in prison when Geronimo arrived. They were working too, under armed guard.

And Mangus was still out with a very small group, three or four men. General Miles had spoken at the council with Geronimo about this and told Geronimo, "It is not necessary to run down Mangus, because it will mean just so much more expense, more hardships for the soldiers. He can keep going if he wants to, but he will not get anywhere; for I know, Geronimo, when he hears that you and Chihuahua have made peace with the government, he will not be out there by himself any longer. I know he will come into one of these reservations, San Carlos or Fort Apache."

That first band captured in the fall of 1886, Chihuahua's little band, they took to Fort Marion, St. Augustine, Florida, and put them in prison.<sup>26</sup> It's one of the oldest posts in the United States, right on the edge of the ocean, where, when the heavy tide comes in, it flaps against the building. It is an old Spanish fort made of stone and cement.

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26. Chihuahua has a son, Eugene Chihuahua, and a daughter still living at Mescalero.

Geronimo's band, the second group captured, was taken to San Antonio, Texas. They had them in prison there for several months.

The third group taken was composed of the faithful Indians who lived at Fort Apache. After all the Indian scouts came home from the expedition, when they thought they were all at home at Fort Apache, they called all the Indian scouts together and lined them up.<sup>27</sup> Then the commander ordered his troops to take their belts and ammunition and their guns away from them. By order of the commander to his soldiers, they herded the scouts in the horse barn and guarded them day and night. They threw them horse blankets to lie on. Soldiers guarded them, the very men they had gone out with before. If they wanted to urinate the soldiers went with them.

After these Indians had gone through all these hardships for the good of the people of these two states, they did this to them. Many of these scouts and most of the other Indians were farming all this time at the agency. Some of them had sheep, some had goats, some had mule teams, wagons, harnesses; some of them had horses and fine saddles.

The Chiricahua scouts did not know what was happening. That night the Western Apache gave a big social dance, and the women were in there dancing. No one was worried. Suddenly the escort wagons were there. They herded the children, the women, and the old men at the camps down to the agency. They loaded them on escort wagons. They wouldn't allow any of them to carry any kind of weapon. They just let them take what they had on, a shawl, a blanket. All the crops were ready to be gathered. I was about ten or eleven years old then, and I was one of them.

The nearest railroad station was at Holbrook, Arizona. It is about a hundred miles away, maybe a little more, I don't know. That's where they were taking us, to load us on a train for Fort Marion, St. Augustine, Florida, the same

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27. The Indian scouts referred to are the Chiricahua who had been serving the government in the Geronimo campaign.

place where Chihuahua was. They took us from Fort Apache to Holbrook in escort wagons, a two or three days' trip in escort wagons, strung out, a long way.

I was with my father in an escort wagon. My mother was with some other people. I didn't know where she was until we got off at Holbrook. Then I found her. At Holbrook the Indians had a big dance that night with the Western Apache scouts, negroes, and white people all present.

We didn't know where we were to be taken from Holbrook. Some thought we were going to be taken to the ocean and thrown in. Some thought we were going to be killed in some other way.

These people, these Chiricahua Apache, who lived at Fort Apache peacefully, and the scouts who had helped the army run down Geronimo's band, were taken to prison for what Geronimo had done.

And I say this much about it. The white man plants corn. But he puts two kernels in the ground. One good kernel will yield, but one rotten kernel will kill the good one if you put them together. So, as smart as the white people pretend to be, there's one time they planted a good kernel with a rotten one. The shadow of the shameful way they treated these faithful Indians and United States Scouts still lies over us.

At Holbrook, Arizona, they loaded us on a train, and they took us to Fort Marion, St. Augustine, Florida.

It was the first time most of us had seen a train. When that train was coming along the river and it whistled, many said it was run by lightning, and they began to pray to the train. I saw many old men and women doing this. They said, "Bless us, that we may be blessed wherever we go."

Lots of the children were running out in the brush. They were afraid of the train. The soldiers had to chase them and get them in. I ran away from them; they had to catch me. I was afraid. I was thinking that they were taking me somewhere to kill me. I was so afraid. I had so much serious fear in me, that I don't know how I felt.



It took us about a week to get to St. Augustine. There were two soldiers at each door. The train stopped somewhere around Albuquerque, New Mexico, in the plains, and we were told to get off. The Chiricahua all thought it was their last day. The soldiers came withhardtack barrels and fed us. The rest of the time we ate on the train. They drove us back in there and we went on. It was the only time we got off. The soldiers kept making motions as if they were going to cut our throats every time they went through the train to give coffee. The Indians, poor and ignorant, took it that they were going to have their throats cut.

There was one scout, Massi, who jumped off the train.<sup>28</sup> He jumped in a sandy place somewhere in Colorado. He got away. He was one of the scouts who had been in that battle where Crawford had been killed. He's a relative of Stephen, Duncan, and Benjamin.<sup>29</sup> He was related to Duncan's father. He got back here and was wild for a long time. He never came to town. Once he ran away with a woman who was gathering piñon nuts at Rinconada. He forced her to go. He just threw her on his back and went off to the San Andreas Mountains. They chased him but couldn't catch him.

This woman is still living and is the wife of a Spanish-American.<sup>30</sup> She told the story once that he sent her home with all the children. She came back with a lot of children. All died except one, who is living now. She's married to a Mescalero. Those children were born in the wilds. This woman was a Mescalero. She's a relative of Marion Simms,<sup>31</sup> calls him cousin.

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28. This individual has been confused with Apache Kid and is often spoken of as the Apache Kid by white men who live in the vicinity of the Mescalero Indian Reservation.

29. Stephen Gaji, Duncan Balachu, and Benjamin Astoyah are the persons meant. So far as I know, the first two are still alive at Mescalero. The last named has died recently.

30. This woman has since died.

31. Marion Simms, a prominent Mescalero Apache, has died since this account was taken.

On that train we slept the best we could sitting up. Little children were put in that rack where you put packages.

We arrived, the last party, in that place at night, moonlight, about ten or eleven o'clock. It's a big place made out of cement and stones. It has a great dungeon under it. It's dark; even in daytime you have to carry a lantern. Those dungeons are filled with nothing but cannon balls and ammunition. There is a big place about fifteen yards wide all around on top, with a cement wall about four feet high so you couldn't fall over. On each corner of that wall is a square, a little tower made out of stone and concrete with windows on each side. It was a lookout tower, I believe. On that run-around they had been setting up army tents thick. We were up there on a cement floor, and we had no privilege to move our tents. We had to stay right there.

And they had a big gate down there where they brought us in, and it was guarded by soldiers. The Indians were not allowed to leave that gate without permission. Just certain people were allowed to get out.

They began to send the children to schools, the ones about fourteen or fifteen years old who were able to go. In the morning they strung out those poor children, and without trying to dress them up like their own class of people, they sent them to school. Wearing moccasins, some of them, some of them going barefooted, they were compelled to go to the Catholic school in the city. They wore their loin cloths, wore rags around their heads, and were bare-legged. And they sent them into that city to the Catholic school every day until the Catholic school was burned down one night. These Chiricahua children were turned in as prisoners every evening. They were watched as well as the older people.

Later General R. H. Pratt (Captain Pratt then) was selected as Superintendent of Carlisle Indian School in Pennsylvania. He came to Fort Marion, took all the children under the authority of the Department, put them on board ship to New York somewhere. From there they took

a train to Carlisle Indian School. Some of those children who were taken from there are still living today—Duncan Balachu, Arnold Kinzuni, Charlie Isti, Dora Isti, Hugh Chee, Asa Dat-ogi, David Kaja, and others. There were over a hundred children taken. The ones that went to Carlisle were only at St. Augustine one month.

I have told you that Chihuahua was the first, and the biggest bunch, the faithful tribe, came next. I don't know how many months we were there when Geronimo and his band came. They shipped him right to an island, to Pensacola, Fort Pickens. We could see the island from Fort Marion.

We were at Fort Marion for about six months. At Fort Marion my mother, my sister, and I lived in one of those tents. They issued out bread and meat each day. We did our own cooking. There was no wood there. Wood was given, a little, and a place to cook was provided in one of the dungeons below. We had to sleep on the hard cement floor. It was warm there in Florida. Bananas grow there.

It was a tough life. I was a little fellow, and I never stole anything, never did harm to anyone. They kept me a prisoner for twenty-seven years. It's the same with Blind Tom.<sup>32</sup> He was blind; he wasn't harming anyone, but he was taken prisoner too. He had to be led around. If I were offered a hundred more years of life like that, I would say "No." Many died at St. Augustine. We were not used to the climate.

As I told you, the worst bandits, Geronimo and his people, they put on the island over there, Pensacola. Geronimo, Naiche, Perico, Jasper Kanseah,<sup>33</sup> Jewett Tisnoltos, and Asa were there. Chihuahua was not there then. He had been out with Geronimo on the war-path from the beginning, but when things got too hot, they separated from Geronimo's band and got chased to Fort Bowie, Arizona. This was in 1886. They were the first ones to be sent away.

32. Blind Tom Lasinasti was still living at Mescalero recently.

33. Jasper Kanseah was chief of police at Mescalero when this account was being recorded.



They were sent to Florida—Chihuahua, Ozoni, his brother, Eugene, Ramona, Hosea Second, and others. They were all relatives it seems. The women were sent too, whole families. This was about a month before Geronimo was captured.

Kaitah and Martine were taken with Geronimo's people. They had gone up to the Sierra Madre to get Geronimo to surrender. They had done a valuable service to the government. Still they were taken prisoner. They took them to San Antonio, Texas. They had them in prison there for about a month or so. And all those scouts who had been after Geronimo were straying back to Fort Apache. Some got in in a week; some took longer. They came in on foot, with sore feet, and some nearly starved. Then they were made prisoners.

Geronimo's band was taken to Fort Pickens, Pensacola, an island near the shore where we were. We knew they were there because when the army ship went from the shore to the island some men went along and saw them. But they didn't come over and visit us. They were not allowed to leave. The women of that band were there too, whole families were there.

*Reed College, Portland, Oregon.*

## THE CANANEA INCIDENT

*By* HERBERT O. BRAYER

IN THE FIRST decade of the twentieth century, the year 1906 was an eventful one. The "trust-busting, big-stick" campaign of President Theodore Roosevelt was meeting with stern opposition from practically the same elements, which another Roosevelt, thirty years later, was to label "economic royalists." The nation was shocked by the Standard Oil scandals, the Railroad rebate revelations, and the "yellow-journal" accounts of Jewish persecutions in Russia. Amidst these exposés a new current of horror swept the country as a young "muckraker," Upton Sinclair, tore the veil from Chicago's powerful packing industry, with his vivid descriptions in a book entitled, "The Jungle." Congress, under the domination of Speaker Joe Cannon, after a month of acrimonious debate, passed the Arizona-New Mexico and Oklahoma statehood bills, the first two territories being given the dubious opportunity of entering the union as a single commonwealth. From California came the year's greatest disaster, when, on April 18th earthquake and fire spread ruin in San Francisco. Meanwhile Ohio coal strikes, directed by the powerful Western Federation of Miners, brought riot and bloodshed, and the threat of federal military intervention. The controversial Panama canal bill passed congress and was signed by the President. On May 31, romantic Americans, reading the elaborate details of the marriage of King Alfonso of Spain to the Princess Victoria, were shocked at the almost successful bombing of the royal couple as they left the cathedral following the ceremony.

There is small wonder that amidst such spectacular and historic events as these, the border episode on June 1, at Cananea, has been all but forgotten by historians of that period.

La Cananea lies in the rugged country of northern Sonora, some forty-five miles southwest of the American border town of Naco, Arizona. The hills surrounding Cananea are rich in copper, which fact accounts for the very existence of the community. The entire region, on both sides of the border, was filled with mining activity. Bisbee, Douglas, Lowell, Mina Ora, and dozens of smaller communities dotted the hills. The Diaz administration had been very liberal in its relations with the American mining companies, with the result that much American capital flowed into not only the Cananea district, but the entire Republic. American mining investments in Sonora alone were estimated at \$27,829,000, with \$7,500,000 of this sum being concentrated in Cananea.<sup>1</sup>

In 1906, with copper selling on the domestic market at more than twenty-five cents per pound, the mines surrounding Cananea were working at capacity. American owned and financed, these employed between eight and nine thousand Mexican and some twenty-three hundred American miners. The largest mine and the smelter, as well as most of the town, were owned by the Cananea Consolidated Copper Company, a part of the Colonel W. C. Greene mining organization, then prominent in Arizona.

The smelter copper was taken from Cananea to the United States by means of a narrow-gauge railroad which connected with the Southern Pacific railroad at Naco, Arizona. The railway and the unimproved wagon and automobile road from Naco where the only means of ingress and egress from this Mexican mining community.

Two factors in Mexico were to play a definite role in the outbreak at Cananea. A growing anti-Diaz feeling was being manifested. A revolutionary junta, publishing inflammatory articles from St. Louis, Missouri, flooded Mexico, especially Sonora, with its propaganda. Organized agitators, some directly connected with the St. Louis group, worked among the peons, spreading discontent and calling

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1. James Morton Callahan, *American Foreign Policy in Mexican Relations*, (Macmillan: 1932), 511-512.



for action.<sup>2</sup> A second factor was in the government regulation setting a maximum wage level for those Mexicans engaged in non-agricultural pursuits. The purpose of this curious enactment was aptly, though maliciously, stated by Antonio I. Villareal, secretary of the Liberal Party junta at St. Louis, who said,

. . . Colonel Greene was willing to pay the Mexican laborers wages as good as those paid Americans, but the Mexican Governor and his clique saw danger in this. It would mean that the Mexican peasant would leave the farm, where the Mexican employer pays from twenty-five to fifty cents a day, and seek employment in the mines, where he could get two or three times as much salary.

The low salary in the mines is the result of official influence brought to bear on the American mine owners, Mexican officials have used their official power—their friendship with Diaz—as a means of keeping the wage standard down to the minimum.<sup>3</sup>

A study of the press previous to the actual outbreak at Cananea gives little indication of the growing discontent. Two days before the clash, on May 30, the mining pages of southwestern newspapers carried long articles on operations, projected improvements and enlargements, and future prospects.<sup>4</sup> The article painted a glowing picture of the situation at Cananea. The next day, May 31, less than twenty hours before the first shots were fired, a baseball game between Cananea and Bisbee was witnessed by several thousand persons, the Cananea miners being defeated 5 to 4, "in the best game seen in Bisbee in years."<sup>5</sup>

But it is evident from the piecing together of various incidents, some of which were known before the strike and

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2. *Bisbee Daily Review*, June 10, 1906, page 16, columns 4-5, "Junta Admits Interest in Revolt." This article, an interview with Antonio I. Villareal, secretary of the Liberal Party junta, reveals the revolutionary character of the St. Louis group.

3. *Loc. cit.*

4. *Bisbee Daily Review*, May 30, 1906, page 8, column 5.

5. *Ibid.*, May 31, 1906, page 5, column 4.

others came to light after the affair, that all was not well across the border.

For some time anti-Diaz elements had been active in Sonora. One of the leaders of this activity was Enrique Bermúdez, a well-educated and popular young Mexican, who had lived for some years in Douglas, Arizona. While engaged in spreading the doctrine of revolution, he published a newspaper named *El Centenario*, which became the official organ of the society called the *Industrial Company of Laborers*. This society had been organized by Bermúdez early in April, 1906. In *El Centenario* he called upon "Mexican laborers to stand for their rights," often attacking the Greene company, which placed American foremen over the Mexican miners.<sup>6</sup>

Bermúdez moved his operations to Cananea sometime late in April, where he founded a revolutionary paper named *The Regenerator*, in which he advocated the overthrow of the Diaz regime.<sup>7</sup> The activities of Bermúdez and his cohorts soon bore fruit. Revolutionary clubs were founded, and propaganda, both anti-Diaz and anti-American, was disseminated.

From across the border the principles of organized labor filtered into Sonora. The Western Federation of Miners had been fairly successful in organizing miners from Ohio to California. Opposition in Douglas and Bisbee, Arizona, by the employers, had made labor organization difficult, but efforts to unionize continued. The close association between the Arizona companies and the Cananea corporations made it inevitable that labor activities would not

6. *Ibid.*, June 9, 1906, page 2, column 1.

7. *Douglas Daily Dispatch*, June 7, 1906, page 1, column 2.

Although no actual evidence exists to prove the accusation, officials at Cananea, and newspapers on the border, linked with Bermúdez in this activity a noted Mexican attorney, Gutierrez de Lara. Lara was well known in the United States, having lived in Douglas for a time. Although holding a lieutenant's commission in the Mexican army, Lara was strongly anti-Diaz. That no connection with Bermúdez or his activities could be proven is evident from the fact that after having been imprisoned for six days following the Cananea outbreak, he was permitted to go free. *Douglas Daily Dispatch*, June 7, 1906, p. 1, c. 2; *Tucson Citizen*, June 5, 1906, p. 1, c. 1.; *Bisbee Daily Review*, June 13, 1906, p. 1, c. 6.

recognize either the international line or the Mexican law forbidding labor unions not sanctioned by the government. The work of the Western Federation of Miners in trying to form a union at Cananea fell into the hands of Bermúdez agitators, who told the peons that their pay was insufficient. The fault, it was said, was not only that of the American employers, but of the government and "dictator" Diaz, who "had sold out to the Gringos."<sup>8</sup>

That the mining company authorities were aware of this situation, is certain. The local police department, composed of 175 men, was paid by the Greene company. As early as May 9, it was apparent that something was worrying the police, for orders had been given some days before for the arrest of all persons, Mexicans or Americans, who were out late at night. On the night of May 9, acting United States Consul Berthold, returning from a visit to the local hospital, was arrested in accordance with this order and held in jail the entire night. Berthold made no comment upon being released, other than, "he knew they [the police] were acting under orders . . ."<sup>9</sup> There was no apparent reason for such an order, unless it was that the company feared the activities of the agitators it knew to be in Cananea. The *Tucson Citizen* on June 2, the day following the outbreak, commented:

The trouble . . . has been of long standing. The feeling between Americans and Mexicans in the camp has been strained for months. The Mexican policemen have been extremely offensive and tyrannous to Americans for nearly a year past, and during the past six months more than ten Americans have been shot and wounded by the Mexican police. The bad feeling between the two peoples culminated a few days ago when a policeman killed an American saloon keeper without cause or provocation.<sup>10</sup>

While this statement is possibly exaggerated there is some truth in its report of anti-American feeling. It is but

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8. *Douglas Daily Dispatch*, June 7, 1906, p. 1, c. 2, and June 9, 1906, p. 1, c. 3-4.

9. *Bisbee Daily Review*, May 10, 1906, p. 1, c. 6.

10. *Tucson Citizen*, June 2, 1906, p. 1, c. 1-2.



a short step from condemning the American companies as the agitators were doing to condemning the Americans themselves who represented the offending organizations.

Despite the precautions taken by the police, the undercover activity continued. Many of the American miners, sympathetic with the Western Federation of Miners' movement, were also in accord with the doctrines spread among the Mexican miners by the agitators.

The crisis came on June 1, when the Cananea Consolidated Copper Company raised the wages of its American workers and not those of the Mexican miners. The Mexicans had been receiving \$3.50, Mexican money, for a ten-hour day. This was the maximum amount which the government permitted the companies to pay to Mexican workers. The American miners were receiving \$5.00 per day in American money. The salary raise announced several days before had caused considerable feeling among the Mexican workers, thus giving the agitators the opportunity they had been waiting for. Through representatives, a demand for \$5.00, Mexican money, for an eight-hour day, and the employment of 80 per cent of Mexicans in the Greene enterprises, half the foremen also to be Mexicans, was made by the Mexican miners, according to an authoritative dispatch in the *Tucson Citizen* on June 2.<sup>11</sup> On the morning of June 1, the day of the outbreak of hostilities, a revolutionary circular was issued at Cananea which called upon the Mexicans to "awaken." It read:

#### MEXICAN WORKMEN!

A GOVERNMENT elected by the people to guide them and satisfy their necessities in all requirements: This Mexico does not possess.

#### ON THE OTHER HAND

A GOVERNMENT which is composed of ambitious persons, who criminally contemplate oppressing the people, being elected by the worst of them in order that they might assist them in en-

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11. *Tucson Citizen*, June 2, 1906, p. 1, c. 1-4.

riching themselves. This MEXICO DOES NOT need.

PEOPLE, arouse yourselves and ACT. LEARN that which you seem to have forgotten. Congregate and discuss your rights. DEMAND the respect that is due you.

Every Mexican, whom the foreigners despise, is worth just as much as, or more, than those foreigners, if he will join with his brothers and CLAIM his rights.

CURSE the thought that a Mexican is worth less than a Yankee; that a negro or Chinaman is to be compared with a Mexican. That this is a fact is the result of the very bad government, which gives the advantages to the adventurers rather than to the true owners of this unfortunate land.

MEXICANS, AWAKEN! The country and our dignity demand it!  
Cananea, June 1, 1906.<sup>12</sup>

From this brief account it seems apparent that the strike at Cananea was not a sudden development, but rather the result of a long period of agitation, brought to a head by a discriminatory action on the part of the American owned mining company.

The actual strike was a carefully prepared action, which, though confined in the beginning to but a small proportion of the Mexican miners, soon reached major proportions. For the actual details of the events of June the first and second, only the newspaper accounts of eye-witnesses, correspondents, and company officials are available. Though many of these are highly colored with exaggeration and rumor, some central elements can be discerned.

An account of the events leading up to the hostilities of Friday morning, June 1, is contained in a letter filed with the Department of State by Colonel W. C. "Bill" Greene, president of the Cananea Consolidated Copper Company,

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12. *Bisbee Daily Review*, June 5, p. 1, c. 6; *Tucson Citizen*, June 4, p. 1, c. 4; *Douglas Daily Dispatch*, June 6, p. 1, c. 5, and June 19, p. 1, c. 3-4; *El Paso Herald*, June 5, p. 4, editorial.

and a well known figure in the mining communities of the Southwest. His description of the strike reads in part:

On the night of May 31, I was informed by a man, who was working for the Cobre Grande that a Mexican working there had told him that trouble was going to start in Cananea on the morning of June 1st, at 5 o'clock; that a socialist club had held three meetings at midnight on May 30, at which a large number of agitators of socialistic tendencies were present; that agitators of the Western Federation had been through the mines inciting the Mexicans and that they had been furnishing money for the socialistic club at Cananea.

He also gave us a couple of copies of the revolutionary circulars that had been widely distributed, together with a number of other details.

While it looked ridiculous to me that a thing of this kind could be done, their program included dynamiting the bank, where it was reported that we had \$1,000,000, breaking open the stores and getting fire arms and ammunition and with them starting a revolution against the Diaz government.

Soon after I saw a Mexican whom I had confidence in and upon asking I found that he had heard the same rumors, he giving the further detail that agitators had stolen, a few nights before, a few boxes of powder, which I knew to be the truth.<sup>13</sup>

That this account is fairly accurate seems certain. Greene was popular among the Mexicans. He had been a poor miner among them for many years before becoming wealthy. They knew him and most of them trusted him. It, therefore, does not appear strange for the strike plans to have been disclosed to Green by some loyal Mexican employee as described.

Steps were immediately taken by the company officials to organize for the protection of the mines, smelter, offices and other property. With the dawn of Friday, the first

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13. *Douglas Daily Dispatch*, June 19, 1906, p. 1, c. 3-4. This article is an Associated Press telegraphic dispatch dated from Washington, D. C., June 18, released through the Department of State.



effects of the strike began to be felt. At the Oversight mine a large number of Mexicans gathered and prevented the 7:00 o'clock shift from going to work. Other mines were closed in quick succession, and the large smelter was compelled to suspend operations. At about noon the Capote and Veta Grande shafts, as well as the concentrating plant of the company, were also forced to suspend work.

A few minutes later about 2,000 Mexican miners gathered in front of the office of the local alcalde and the chief of police in Ronquillo, the Mexican section of Cananea which lay at a lower elevation than the town itself. The American residences, hotels, and the bank were on a higher level known as "La Mesa." While gathered at Ronquillo the Mexican miners were addressed by Greene, who, in fluent Spanish, spoke at some length, stating that the wages being paid the miners were higher than those paid by any other mining company in Mexico, and assuring them that the company would in the future, as it had in the past, treat all its employees fairly.<sup>14</sup> What transpired after Greene's address is not perfectly clear. The miners seem to have dispersed temporarily. During the lull the leaders of the strike again circulated their propaganda. It was decided, as proved by subsequent events, to make the strike a general walkout by causing all Mexican laborers in lumberyard, offices, and construction crews to leave their work. The miners then reassembled, and, at about 3:00 o'clock p. m., started for the "Mesa" in order to put this program into effect. As they advanced they either persuaded or forced "every Mexican workman they met in their path to fall in with them."<sup>15</sup> Although they met at least two Americans on their march before reaching the lumber yard, no personal attack was attempted.<sup>16</sup> The mob, increasing in number as it went, marched to the lumber yard to pick up the Mexican laborers

14. *Douglas Daily Dispatch*, June 5, p. 1, c. 4.

15. *Bisbee Daily Review*, June 2, p. 8, c. 4. Story of Eugene Brown, plasterer in Cananea, whose workers were taken by the crowd.

16. *Loc. cit.* In the same newspaper, p. 1, c. 6-7, is mentioned another attempt to obtain workers at the Wilkey stable. In neither instance were the Americans abused.

there. It was at this point that the first shots were fired and the first American and Mexican deaths occurred.

The lumber yard belonged to the Cananea Consolidated Copper Company and was managed by George Metcalf, aided by his brother, Will Metcalf. As the strikers advanced up the mesa someone had telephoned Metcalf, warning him of the intentions of the strikers. As one eyewitness described the situation:

. . . a crowd of strikers was seen advancing, with the intention of forcing the laborers at work in the lumber yard and hay yard to quit. Metcalf ordered the gates closed and the hose (a four inch fire-hose) turned onto the crowd if an attempt was made to enter. His instructions were followed and the strikers at the gate were met with a stream of stones, clubs and brickbats . . .<sup>17</sup>

The eyewitness then stepped into a lumber shed out of the way of the flying missiles, while Metcalf took up his stand in front of the gate, rifle in hand, and warned the strikers that any man who attempted to climb the corral would be shot.<sup>18</sup> Metcalf's belligerency, plus the stream of water, infuriated the Mexicans, who quickly surrounded the lumber yard manager, clubbing and stabbing him to death with miner's candlesticks.<sup>19</sup> Will Metcalf, seeing the attack upon his brother, attempted to rush to his assistance, but "before he had gone a dozen paces," fell dead, pierced by a dozen bullets. The mob, three of which were killed in the riot before the gate, entered the lumber yard and set it afire in several places.<sup>20</sup> In a few minutes the yard was a roaring

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17. *Douglas Daily Dispatch*, June 10, p. 1, c. 3. This eyewitness account is by Philo Freudenthal of Solomonville, Arizona, who was engaged in selling hay to Metcalf when the strikers appeared before the lumber yard.

18. *Douglas Daily Dispatch*, June 10, p. 1, c. 3.

19. The miner's candlestick is a dagger-like instrument which when stuck into a beam or wall served to hold a candle by which the miners were able to see in the mines.

20. Just who fired the shots which killed the Mexican miners has not been determined. It appears from all accounts that both the Metcalfs were armed, but in almost every case witnesses definitely state that neither of the men had a chance to fire their rifles.

mass of flame. The loss due to the fire was set at \$250,000 by company officials, but the actual value of the material destroyed, according to a lumber expert, was not in excess of \$100,000.<sup>21</sup> That the mob was not viciously inclined toward the Americans, despite the Metcalf murders but a moment before, was made clear to Mr. Philo Freudenthal of Solomonville, Arizona. Freudenthal, a hay dealer, had stopped at the yard a few minutes before the strikers arrived to confer with Metcalf. After witnessing the arrival of the strikers and the barrage of missiles which endangered his person, he stepped behind a lumber shed to protect himself. With the death of the Metcalfs the mob stormed through the yard. Several armed Mexicans approached Freudenthal, who explained his presence. One of the strikers seized the gold chain and watch worn by the hay dealer, and seemed about to make off with it when one of the men, evidently one of the leaders, forced the Mexican to return the watch to Freudenthal with the terse comment, "We are not robbers, we only want our rights. Let the watch alone."<sup>22</sup>

After firing the lumber yard, the crowd, now visibly excited, continued its march toward the plaza, upon which Colonel Greene's residence, the Catholic Church, and the hotels were located. The Cananea police, sadly outnumbered, could do little but arrest what few of the leaders and strikers they could reach. On arriving at the plaza the strikers were met by Colonel Greene and an armed force of Americans. Greene attempted to address the crowd, but it refused to quiet down long enough to hear what he had to say. One of the leaders, who, according to all eyewitness accounts, carried a red flag, continued to incite the Mexicans. It is difficult to determine from these accounts which side actually began the firing, but some of the more excited of the Americans suddenly opened fire and a general fusilade resulted.<sup>23</sup> The flag-waving leader was hit by at least fif-

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21. *Tucson Citizen*, June 5, p. 1, c. 1. Practically all other accounts are in agreement with this statement.

22. *Douglas Daily Dispatch*, June 10, p. 1, c. 3.

23. *Tucson Citizen*, June 4, p. 1, c. 3; *Douglas Daily Dispatch*, June 5, p. 1, c. 4.



teen bullets.<sup>24</sup> At least two other Mexicans were killed and fifteen wounded. General manager Dwight, of the Cananea Company, received a minor head wound. The fusilade sent the Mexicans, who were badly armed, scurrying for cover. The strikers fled from the "Mesa" to the foot of the hill where they looted several stores for the purpose of obtaining arms and ammunition.<sup>25</sup> A number of skirmishes between remnants of the mob and the police, assisted by armed company employees, occurred, causing additional casualties among the strikers. Although the strikers never reassembled as a mob, shooting continued throughout the evening. No further destruction of company property occurred, although a train on the way to the Capote mine was fired upon and driven back, and a party of strikers bent on destroying the Veta Grande ore bins, according to the police, were driven off and a number of their leaders captured, among them three alleged leaders of the revolutionary junta which had instigated the outbreak.<sup>26</sup>

As the afternoon grew late, rumors that the Mexicans were going to burn the railroad trestle, and fear that night might bring a renewal of mass action on the part of the Mexicans, forced Colonel Greene to telephone Bisbee, Arizona, for immediate assistance. Although there is no record to substantiate the supposition, there is little doubt that a second call for assistance was dispatched to Governor Rafael Yzabal of Sonora, at Hermosillo. Greene was well aware that assistance from this latter source could not arrive before morning, but it was his hope that immediate assistance from the United States would arrive within a few hours.

With gunfire continuing uninterruptedly throughout the night, the scene of greatest activity changed from Cananea to Bisbee, Arizona. Greene had telephoned to Walter Douglas, general manager of the large Copper Queen Company, requesting immediate help. Douglas promptly sent for Captain Tom Rynning, commanding officer of the Ari-

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24. *Bisbee Daily Review*, June 10, p. 11, c. 4.

25. *Loc. cit.*

26. *Loc. cit.*

zona Rangers, whom he knew to be in town on that evening. Explaining the situation as Greene had described it, Douglas advised Rynning to telephone Greene. Rynning followed the suggestion and talked with Greene, who excitedly explained what had transpired in Cananea. "Hell is popping here," Greene is reported to have said, "and every American's life is in danger."<sup>27</sup>

Meanwhile Marshal Bidley Doyle of Bisbee, acting on Manager Douglas's suggestion, issued a call for two hundred armed volunteers, and set Judge McDonald's office as the meeting place. Douglas announced he would issue transportation to two hundred men over the El Paso and Southwestern railroad from Bisbee to Naco.

"The scene that followed the first coming of the news has never been equalled in Bisbee," stated editor W. B. Kelley of the *Bisbee Daily Review*.<sup>28</sup>

Fully two thousand people were huddled in the plaza, excitedly discussing the news and anxiously awaiting the latest details from the scene of terror.

Then the bulletins began to come in fast and furious. First came the news that forty American residents of Cananea had been killed, among them George Metcalf.

Rumor that American Consul Galbraith had wired Fort Huachuca for assistance, or all would be wiped out, sent a shudder through the crowd.

Already men, drunk with excitement, were beginning to show the effect of drink.

Mayor Caven issued an edict that all saloons be closed and this was promptly done. Not a drop of liquor was sold in Bisbee from seven o'clock until after the midnight train had pulled out of the railroad yards, when the saloons were again opened.<sup>29</sup>

The volunteers were soon congregated in front of the Copper Queen Store, where Rynning addressed them, ex-

27. Letter, Captain Tom Rynning to the author, January 21, 1938.

28. *Bisbee Daily Review*, June 2, p. 1, c. 1-2. Editor W. B. Kelly is now publishing the *Safford Outlook*, at Safford, Arizona. He is well known in Arizona journalistic circles, being an official of the state press association.

29. *Loc. cit.*

plaining that the first reports were probably exaggerated, and that in any case the men could not cross the border as an armed body, for such an incident would constitute an armed invasion of Mexico. He explained, however, that he had a wire from Governor Yzabal of Sonora, saying he would meet the volunteers at Naco.<sup>30</sup>

The volunteers, armed with every conceivable type of firearm, were unable to obtain a train for Naco until midnight. In the meantime the streets of Bisbee were crowded with people seeking further news from Cananea, and awaiting the departure of the rescue party. The volunteers spent the time in better arming themselves for the eventualities expected at Cananea. The Bisbee correspondent for the *Douglas Daily Dispatch* reported that

. . . very soon all the arms in the Copper Queen were at their disposal. Several pawn brokers trebled their money on rusty old shooting irons, and a little army was perculating through the streets.<sup>31</sup>

At 11:00 o'clock the first refugee train from Cananea, carrying mostly women and children, reached Bisbee. Again highly exaggerated reports spread rapidly among the over-excited throng. One group of fifteen volunteers, including the local Y. M. C. A. physical director, Edward Buchner, unable to control their eagerness to get to the scene of the conflict, saddled their horses and rode to Naco, where they became embroiled with the Mexican border guards. Buchner received a bullet wound in the arm during the fight and one Mexican officer was wounded. None of the group, however, crossed the international line.

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30. In a personal letter to the author, Captain Rynning, now Deputy United States Marshal at San Diego, California, states, "General Luis Torres [Military Governor of Sonora, Sinaloa, and Baja California] called me from Hermosillo, Mexico, to await him at Naco . . ." This version varies from the facts quoted above which were given by Captain Rynning on June 10, 1906, after returning from Phoenix, where he had been called to explain to the Governor of the territory his part in the Cananea affair. *Bisbee Daily Review*, June 10, 1906, p. 2, c. 2-3.

31. *Douglas Daily Dispatch*, June 6, p. 1, c. 2.



Just before midnight the trainload of 270 volunteers left Bisbee for Naco, arriving there about 1:00 o'clock.<sup>32</sup> While awaiting the Mexican governor at Naco, Rynning received another telephone call from Greene, who urged the volunteers to hurry as the firing had not abated. The Captain assured Greene that he would come as soon as a train could be obtained, but explained that in any event he had to await the arrival of Governor Yzabal and Military Governor General Luis Torres.<sup>33</sup> While in Naco the volunteers were informed of the shooting scrape in which Y. M. C. A. director Buchner had been injured. "For a time," reported the *Review* correspondent, "there was loud talk and threats of going across the line immediately to avenge the attack, but cooler counsel prevailed."

Rynning faced a difficult problem in Naco. As an officer of the Territory and the United States—he was also Deputy United States Marshal—he could not cross the line, nor could he permit any of the Arizona Rangers who were with him to do so. To cross the border as American officers would have created an international incident. The result of Rynning's difficulty was a hurried telegram to Territorial Governor Joseph H. Kibbey of Arizona, requesting an immediate temporary leave of absence. This telegram was lost in transit.<sup>34</sup> Sometime later, Rynning, unaware of the loss of his earlier message, wired Governor Kibbey

BY REQUEST OF GOVERNOR YZABAL  
275 VOLUNTEERS WILL GO IN TO PROTECT  
AMERICAN INTERESTS IN CANANEA.<sup>35</sup>

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32. *Bisbee Daily Review*, June 3, p. 1, c. 4. This is a signed article by W. B. Kelley. The *Review* correspondent accompanied the volunteers on the entire trip, reporting in detail the events which transpired on the journey and after the arrival of the men in Cananea. The *Review* story is in general agreement with most of the other accounts, and is undoubtedly the most reliable newspaper source that can be obtained.

33. Letter, Rynning to the author, January 21, 1938.

34. *Bisbee Daily Review*, June 8, p. 4, c. 4. The Douglas, Phoenix, and El Paso newspapers carried substantially the same story.

35. *Ibid.*, June 5, p. 1, c. 2-5.

In the meantime the Governor, receiving press reports of the riot, wired the ranger captain the following instructions:

Relative to reported riots at Cananea and Naco, please take every precaution to see that order is preserved on this side of the international line. Of course you understand that our authority has its limit at the line. Any one who crosses into Sonora on account of the Cananea trouble will do so at his own serious risk and all Americans should be so advised. I have full confidence in your good discretion. Please wire me fully and as often as may be necessary to keep me fully informed of the situation at Cananea and on the line.

This telegram was also delayed in transit and was not received at Naco until after the volunteers had departed for Cananea. The governor, however, now in receipt of Rynning's second telegram, announcing the intention of the volunteers to go to Cananea, curtly telegraphing Rynning:

Volunteers going into Mexico do so at the risk of divesting themselves of their American citizenship and protection as such while there. I cannot permit any officer or man in the territorial service to go into Mexico at this time. Use every precaution to preserve order on our side of the line.<sup>36</sup>

This telegram Rynning did not receive until after he had departed for Cananea.

After a long and anxious wait the Mexican governor's train arrived at Naco at 7:30 in the morning.<sup>37</sup> A hurried conference between Rynning, Governor Yzabal and Military Governor Torres was held. Torres pointed out to the Ranger captain that the armed body of men could not cross

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36. *Bisbee Daily Review*, June 5, p. 1, c. 2-5. These telegrams were made public by the Governor's Office at Phoenix and by Captain Rynning. Other newspapers printed variations of these messages, but the accounts offered here appear to be the most authentic.

37. The delay in the arrival of the Governor was due to the long trip required to reach Naco from Hermosillo. There was no direct railroad line from Hermosillo to Cananea. It was necessary for the Governor to go from his headquarters at Hermosillo to Nogales, Arizona, where he transferred to an American train which took him to Naco where he again changed trains in order to reach Cananea.

the border. The Mexican general also stated that he had ordered a body of Mexican infantry to march from Arispe, Sonora, to Cananea. Rynning pointed out to the governor that Arispe was sixty miles south of Cananea, and that even with forced marches the troops could not hope to reach Cananea in less than three days, during which time all Americans in Cananea could be killed. A solution to the difficulty was proposed by Rynning. If the men crossed the border individually without any organization whatever, such action would not constitute an "invasion by an organized body of armed men." The Mexican authorities were quick to see the point. Governor Yzabal was certain he would need help when he arrived at Cananea. His own personal guard of less than fifty men he had been forced to leave at Imuris before crossing the line at Nogales.<sup>38</sup> They could not possibly march to Cananea in time to be of assistance, and their number was far too few to be of real value if they should arrive in time. Before leaving Hermosillo, however, he had requested Colonel Kosterlitzsky of the Rurales to hurry to Cananea, but he knew well that at least twenty hours would be required for the difficult ride from Magdalena, Kosterlitzsky's headquarters. It was certain that this aid could not reach the scene for at least another twelve hours. With this knowledge both Yzabal and Torres were glad to find a way in which they could legally utilize the services of the American volunteers. They immediately assented to Rynning's plan and the volunteers were marched to the border and lined up. Rynning then addressed the men, explaining the difficulty in crossing the international line as a body, but advising them that they could cross as individuals. The Mexican officials standing on the Mexican side of

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38. *Douglas Daily Dispatch*, June 10, p. 4, c. 5, quoting the *Mexico City Herald* reported: "Governor Yzabal asked the federal government whether he might pass with his force through American territory, and the department of the interior told him that he must on no account do so, as it was desired to avoid giving any ground for a similar request on the part of the American government in the event of its having occasion to wish to have its forces pass across a stretch of Mexican territory.

Governor Yzabal, in consequence, left his military escort at Imuris, about twelve leagues from Cananea, with orders for it to march across the country to the scene of the riots . . ."



the border then told Rynning to send the men over "sin forma." "Like a bunch of sheep" the men crossed the line. There, the formality of offering their service to the authorities "as soldiers to help put down this insurrection" was made. The governor formally accepted the services of the men and again ranks were formed. Military governor Torres then swore the Americans into the Mexican army, and governor Yzabal addressed them:

I am deeply grateful for your volunteer of services on this occasion. I am going to Cananea to restore law and order, and I am pleased to have your offer of assistance. Before we depart for Cananea, however, I desire every man to understand distinctly that so long as he is in Sonora on this expedition, he is absolutely under my orders and in addition is amenable to the laws of Mexico.<sup>39</sup>

Captain Rynning accepted the conditions on behalf of the volunteers, and the entire party marched to the depot to entrain for Cananea. Rynning remained in command of the Americans. Besides his position as Captain and commanding officer of the Arizona Rangers, he held a commission as militia Captain in Sonora, appointed by General Luis Torres. This position, in view of his request for a leave of absence to the Governor of Arizona, was technically the capacity in which Rynning entered Cananea. Five Arizona Rangers, however, did accompany Rynning. These were Rangers Arthur Hopkins, Johnny Foster, Samuel Hayhurst, Johnny Brooks, and William Olds.<sup>40</sup> Whether or not their commanding officer, Captain Rynning, had granted them a "temporary leave of absence" in order to accompany the volunteers, will always be a moot point.

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39. Letter, Captain Thomas Rynning to the author, January 21, 1938; *Bisbee Daily Review*, June 3, 1906, p. 1, c. 4-5. The *Review* article is by the special correspondent who accompanied the volunteers to Cananea.

40. Arthur Hopkins is now Captain Hopkins of the Los Angeles Sheriff's Office. Johnny Foster is working for the Copper Queen Company at Bisbee. Samuel Hayhurst is a member of the Douglas, Arizona, Police Department. Johnny Brooks was killed at Tamoehic in Chihuahua and William Olds was killed some years ago in Arizona.

The volunteers arrived in Cananea in the middle of the morning, Saturday, June 2. Their arrival is best described by editor W. B. Kelly of the *Bisbee Daily Review*:

... When the Bisbee special pulled into Cananea carrying the volunteers and the Governor and staff, it appeared to your correspondent that half of the population was at the depot. Three automobiles were in waiting at the station. Col. Greene was standing in the front one, and as the Governor alighted, grasped him by the hand and led him to carriage. A large crowd gathered around. Waving his hat in his hand, Col. Greene proposed "Viva el Gobernador (?) de Sonora!" ... everything was as quiet as a picnic. After a hurried visit to the concentrator and nearby mines, and shortly after twelve o'clock, the party returned to Ronquillo. In front of the general offices the Bisbee train had been drawn up and the volunteers alighted and marched up to the smelters, under the direction of the following captains: H. J. Amphlett, Sam Powers, Al Mathews, Billy Swan and Billy Olds. In the meantime the word had evidently been passed around that the governor had arrived. When he and Col. Greene, accompanied by Frank Moson, reached the store in their automobile, the streets were packed. Fully two thousand Mexicans were in the crowd. They crowded about the automobile occupied by the Governor and President Greene. Moson stood on the step of the automobile with rifle ready for instant use, but there was happily no occasion for violence in this instance. The Governor rose to speak and instantly there was silence. Mexicans surged about the automobile, clamoring to hear. Around the square occupied by the important company buildings American guards were stationed with rifles trained on the crowd. The front porch of the company store was bristling with fighting men. Governor Yzabal arose to speak. He began by telling the Mexicans that all citizens of the republic should respect law and order. "You have done things that cannot be countenanced by the Mexican government," said the Governor. "Killing and looting cannot find a place in this camp so long as I am Governor. I am here in your

interests, and I guarantee you that all your rights will be respected, but first there must be law and order."

The Governor was frequently interrupted by young men. They urged the question of wages with him. They broke in and told him their grievances, and the outcome of the Governor's remarks left the crowd, evidently, in the same frame of mind.

Then Col. Greene spoke. His language was Spanish, and he was followed closely. He stood bareheaded and unarmed, facing a crowd of at least three thousand Mexicans, men, women and children, whom he knew would not be in sympathy with his remarks, but with a smile on his face, and perfect control of his words and actions, he began:

"You Mexican people all know me, I have been a poor man myself. Some of you were my friends then, and all of you know that I have acted always honestly and fairly with you. When I have been able to pay you \$3.50 for your work, I have gladly paid it. But a man cannot pay more than he makes. I cannot pay you five dollars at this time. The revenue from the mines would not permit it. I have tramped over these hills for a long time. I have spent millions of dollars in building up here among you the most thriving mining camp in Mexico. I have always been fair and candid with you, and I ask you to do the same by me."

Col. Greene spoke in earnest. He went into the operations of the company from its inception.

During his remarks the correspondent of the *Review* mixed with the crowd. He listened to the remarks made by the rank and file present. Often they ridiculed certain statements made by Col. Greene. But the meat of the cocoanut, and the bone of contention, was contained in the remark of a Mexican laborer to another, who said, "Yes, all that is true, but why don't the company pay the Mexicans the same wages they pay the Americans?"

The Mexican miners and other employees want the same high wages at present paid Americans. This is the fight on at Cananea among the Mexicans who struck for higher wages, and assisted by revolutionary followers who flaunted



the flag before the people, caused the insurrection.

While Col. Greene was speaking, a restless movement was noted in the crowd of Mexicans about the automobiles. Immediately no less than five hundred rifles were trained on the square. The crowd scampered like rats, but fortunately not a single shot was fired at this time. After this speechmaking incident Col. Greene and Gov. Yzabal proceeded to the office of the chief of police, where they were in conference with that officer for more than an hour.<sup>41</sup>

While Greene and the Governor addressed the miners, the Bisbee volunteers marched and countermarched from the smelter down into the town. From the moment of their arrival the volunteers were kept well in hand by their company commanders. After their display of strength the Governor ordered the Americans to return to their cars where they remained during the entire afternoon, not engaging in the sporadic firing which continued until evening. The Americans were not allowed to depart, however, until after the arrival of Colonel Kosterlitzsky and the Rurales, but though they did not engage in the afternoon hostilities most eyewitnesses credit their presence as preventing a recurrence of the serious rioting of the day before.

From three o'clock until sundown, when the rurales arrived, there was almost incessant firing. The railroad trestle was the scene of nearly continuous gunfire. From this vantage point a small group of American cowboys poured a hail of bullets into the valley below. During the afternoon's firing three more Americans were fatally wounded. Conrad Kubler, an employee of the Cananea railroad, was shot while watching the battle from his front yard. Bert Ruth, a bartender, was hit and instantly killed while visiting the tenderloin district. A company employee named Bert Lockey was the third American victim of the day. Together with the two Metcalfs and an unidentified bookkeeper at the lumber yard, these casualties brought the

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41. *Bisbee Daily Review*, June 3, p. 1, c. 3-5. Signed article by editor W. B. Kelly.

toll of American dead to six for the two days' warfare. It was generally admitted by all witnesses of the Saturday afternoon battle, that there was a good deal of uncalled-for shooting on the part of the Americans. Guards placed between the residence of Colonel Greene, in which the wives and children of Americans had taken refuge, and the railroad bridge leading to Ronquillo, took no chances. Every Mexican was halted at long distance, and, says the *Review* correspondent, "if the command did not suffice, more effective means were used."<sup>42</sup> The volunteers, confined to their railroad cars by order of the Governor, chafed at the restriction which prevented their joining the battle. To the credit of Captain Rynning and the individual company commanders however, is the fact that no American volunteer broke his pledge of obedience.

At 6:30 in the evening, Colonel Kosterlitzsky and his reserve force of rurales, numbering about seventy-five, were reported to be in sight. At 7:00 o'clock the rurales entered Cananea by a road in the rear of Colonel Greene's residence. The riders made their way past the mesa and reported to Governor Yzabal at Ronquillo. The *Bisbee Daily Review* correspondent described the effect of Kosterlitzsky's arrival in this manner:

. . . Within a few minutes after his arrival orders were flying thick and fast. Kosterlitzsky's name was on everybody's lips and there was a feeling of security that had not existed since the hostilities commenced. Almost as if by magic the firing ceased. Next came the martial-law order. Kosterlitzsky was at the head now. Couriers (?) were sent out to all portions of the city, carrying his instructions that all persons, Mexicans and Americans, were to remain in their houses. Any person found on foot in the streets after dark would be shot . . .

At 9:30 Colonel Kosterlitzsky, General Torres, and Colonel Greene, at the head of about thirty Rurales, began

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42. *Bisbee Daily Review*, June 3, p. 1, c. 3-5.

the patrol of the mesa. At each intersection Colonel Greene stopped and made an announcement which had been "authorized by Colonel Kosterlitzsky."

"There must be no more shooting for any cause tonight," announced Col. Greene. "All Americans will obey strictly the orders issued. We are going to have law and order in this camp and we are going to have it quick. Col. Kosterlitzsky, with the troops and rurales at his command, can handle this situation without any interference. There is no cause for alarm any longer. Go to your homes and go to bed. Myself, in company with Col. Kosterlitzsky and the Governor General will be on patrol duty with the rurales for the remainder of the night."<sup>43</sup>

Meanwhile the Bisbee volunteers had been dismissed with appreciation and thanks by Governor Yzabal, but due to engine trouble their special train was unable to leave until 10:00 P. M. The train arrived at Naco at 11:45 and several hours later the volunteers were back in Bisbee. They had been in Cananea less than twelve hours, and had not engaged in the strife. "Not a shot was fired by them, and not a shot was fired at them . . ." <sup>44</sup>

Upon arrival at Naco from Cananea, Captain Rynning immediately telegraphed Governor Kibbey:

Just arrived from Cananea, Mexico. Troops were relieved by Governor Yzabal and thanked in the most courteous manner. About thirty Mexicans killed, two Americans. Brought out several lady refugees. Colonel Greene riding with about thirty rurales patrolling the streets, was fired on while leaving.<sup>45</sup>

The telegram barrage between the Territorial Capitol at Phoenix and the border town of Naco continued through Saturday and Sunday. From Douglas, Arizona, Antonio

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43. *Bisbee Daily Review*, June 3, p. 1, c. 4.

44. *Ibid.*, June 6, p. 4, c. 2, editorial. This paper is misdated; containing the date June 5 instead of June 6. A perusal of the dated dispatches, however, places the date definitely as June 6. The printer just forgot to change the date line.

45. *Bisbee Daily Review*, June 6, p. 8, c. 4.



Maza, the Mexican viceconsul, telegraphed governor Kibbey:

My government communicates with me that by no means are the Rangers to be allowed to cross into Mexico. Our ambassador has already requested from the department of state that accurate orders be given to this respect. Please notify your people to be very cautious in this case, to avoid further complications, as the strike has had none of the proportions as reported by the newspapers. I also beg that you give orders that firearm sales are to be stopped at once. Very respectfully,  
Antonio Maza.<sup>46</sup>

The governor promptly replied to this message by informing the consul that he had warned Americans not to cross the border. Not having received Rynning's first message from Naco, the Governor was not fully aware of the events that had transpired since early Saturday morning. With Maza's message before him, Kibbey sent Rynning a telegram which read:

Under no circumstances cross into Mexico. Caution Americans against going across. I have telegram Mexican Government will not allow it.<sup>47</sup>

Unable to obtain a full account of events at the border, and fearful of international complications Kibbey wired Rynning on Monday, June 4, requesting him to come to Phoenix for a conference. At the capitol the Ranger Captain explained to the Governor the entire situation and no further comment was made by the Territorial executive. Rynning meanwhile had received the plaudits of the press throughout the Southwest for his action in the strike, and already was being publicized as the next sheriff of Cochise county.

The international complications of the strike at Cananea drew great interest both in the United States and Mexico. At the height of the conflict on June 1, acting United States consular agent Galbraith, witnessing the first

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46. *Loc. cit.*

47. *Douglas Daily Dispatch*, June 7, p. 1, c. 2.

effects of the strike, succumbed to panic,<sup>48</sup> and telegraphed to the Secretary of State, Mr. Elihu Root, the following:

Send assistance immediately to Cananea, Sonora, Mexico. American citizens are being murdered and property dynamited. We must have help. Send answer to Naco.<sup>49</sup>

This message was evidently sent late in the afternoon, as no action appears to have been taken until the next day, Saturday, June 2, when Secretary Root telegraphed Ambassador David E. Thompson:

Galbraith, Consular Agent at Cananea, telegraphs American citizens are being murdered and property dynamited at that point, and asks for immediate assistance. Press dispatches this morning report that strike riots have resulted in a race conflict between Mexicans and Americans. Bring to the attention of the Mexican government and ask prompt and effective action to protect American citizens. Say to the Mexican government that if the matter appears to be of so serious a character as the dispatches seem to indicate, the Government of the United States would be glad of any suggestion from the Government of Mexico as to the course we may take to prevent violation of international obligation on the part of our citizens, or help to promote peace and safety.<sup>50</sup>

Thompson answered almost immediately with the message that "the Mexican government assured him of its ability promptly to control the situation."<sup>51</sup> On the same day Secretary Root telegraphed Thompson discreetly to ascertain "Whether the Mexican government would welcome or acquiesce in assistance of United States troops to preserve order in the special emergency, pending arrival of Mexican troops."

48. *Tucson Citizen*, June 4, p. 1, c. 1.

49. *Ibid.*, June 2, p. 1, c. 3-4.

50. *Loc. cit.* James Morton Callahan, *American Foreign Policy in Mexican Relations*, 522, also refers to this telegram.

51. Callahan, *loc. cit.*

On June 3, Thompson, after a conference with President Diaz who seemed much agitated over the Cananea incident, wired to Secretary Root the following reply:

“. . . In an interview today with President Diaz concerning Cananea matters, he said that the foundation of the whole thing is revolutionary and aimed at his government. There were in Cananea about twenty revolutionists, he thinks all Mexicans, inspired from headquarters in St. Louis, Missouri. A reduction of wages in a Cananea mine from abnormally high to something like Mexican normal caused this outfit to put forth the claim that the government was responsible. The result was that a large number, all Mexicans, followed the revolutionists, while on the other side were both Americans and Mexicans. The fight and attempted destruction of property, some buildings and lumber being destroyed, was the early result, immediately followed by twenty imprisoned and the scattering and fleeing of the attacking party. The Mexican Government is in perfect military control of Cananea and in pursuit of offenders. The President says he would be much pleased if the American side of the line could be patrolled by any authorized forces to prevent escape into American territory of fugitives, and that should further serious trouble develop, which he thinks not likely, he would, if bad, be glad to have Federal soldiers' assistance. No armed American force should cross line unless authorized.<sup>52</sup>

This telegram ended the official Washington-Mexico City phase of the Cananea strike. That Thompson's warning concerning the crossing into Mexico of American armed forces was not entirely unwarranted is borne out by the fact that on June 2, probably as a result of an alarming telegram from Galbraith, four troops of cavalry arrived at Naco from Fort Huachuca. The detachment went into camp on the American side of the line, but obviously was prepared for an order to cross the border. Soon after the arrival of the troops, a wire from Galbraith addressed to President Roose-

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52. Callahan, *op. cit.*, 523, quoting from the archives of the State Department, 183 *Mexico, Dispatches*, No. 79, June 5, 1906.



velt was transmitted through the Naco telegraph office. In some manner the text of the message was divulged. It read: "Crisis has been reached. This is a time for immediate action. Send Federal troops."<sup>53</sup> In the increasing apprehension there seemed little doubt that the troops would be ordered to Cananea. Late in the afternoon, however, Major Watts, commanding the cavalry units at Naco, received a message from the war department containing the single significant order: "Absolutely and under no conditions are you to cross the line until further instructions."<sup>54</sup> The troops remained at Naco until Tuesday, June 5, when they were ordered to return to Fort Huachuca by Colonel C. A. Steadman, commanding officer at that post.

The situation at Cananea following the arrival of Kosterlitzsky became easier. On Sunday the strike was all under control and there had been little, if any, firing since the Rurales assumed command. The local police, aided by the Rurales, arrested and jailed at least twenty Mexicans suspected of having engaged in "revolutionary activities." General Torres and Colonel Kosterlitzsky had virtually taken over complete control of Cananea. All Americans and Mexicans were disarmed, and attempts of the miners to congregate were immediately frustrated.<sup>55</sup> On Monday two furnaces at the smelter and the concentrator resumed work with full crews, but of the mines only the Elisa mine was working. At the other shafts only American miners were at work, the Mexican workers remaining in their huts and refusing to return to the mines.<sup>56</sup> By midday more than fifteen hundred Mexican troops had arrived at Cananea, and were encamped outside of the town.<sup>57</sup> There was little need for the soldiers, however, as Kosterlitzsky and Torres were maintaining rigid control. Five hundred miners resumed work on Tuesday morning as the mining community seemed

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53. *Bisbee Daily Review*, June 3, p. 1, c. 6-7.

54. *Loc cit.*

55. *Bisbee Daily Review*, June 5, p. 1, c. 2-5.

56. *Loc. cit.*

57. *Douglas Daily Dispatch*, June 5, p. 1, c. 1.

to return to almost normal. One observer reported the *Rurales* to be "lazily lolling around town," seemingly disgusted with the lack of action after their difficult twenty hour ride. One inharmonious note, however, disturbed what seemed to be an otherwise closed incident. Meeting at Denver, Colorado, the Western Federation of Miners convention passed a resolution deploring the loss of life and property at Cananea, but "greeting the Mexicans and hailing their class struggle," which they urged them to continue.<sup>58</sup> The following morning in a pointed address to two thousand Mexican miners, General Torres gave them the alternative of returning to work within two days or of being drafted into the Mexican army and being sent to fight the troublesome Yaqui Indians.<sup>59</sup> Arrests of suspected ringleaders and agitators continued for several weeks. One notable change in Cananea became apparent as the normal routine of the mining community was resumed. Of approximately twenty-three hundred American miners employed before the strike less than two thousand resumed work. The Mexican authorities, as well as the company officials, claimed to be in possession of a confession to the effect that about three hundred American miners had been secretly, if not openly, aiding and encouraging the Mexicans who had gone on strike. Determined to eradicate all such activity, the authorities allowed a rumor to circulate which warned that arrests would be made within twenty-four hours. A general exodus of American miners resulted, with an estimated three hundred crossing the line to the comparative safety of the United States.<sup>60</sup>

Many estimates of the number dead and wounded have been made. An actual count of the American casualties show that six United States citizens lost their lives. The number of Mexican fatalities has remained in doubt. Estimates run as high as a hundred, though a more probable figure would be thirty. The difficulty in determining the actual Mexican

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58. *Douglas Daily Dispatch*, June 6, p. 1, c. 4. This was a press association dispatch.

59. *Ibid.*, June 7, p. 1, c. 2.

60. *Bisbee Daily Review*, June 14, p. 5, c. 3, and p. 11, c. 4.

loss was due to the close supervision by the Mexican authorities, under whose direction burial squads worked during the night to remove the dead.<sup>61</sup>

The placing of blame for an historical incident such as that at Cananea is always a delicate if not dangerous undertaking. It would seem that the contention of the Mexican government to the effect that the strike was revolutionary in purpose and in character had some foundation. On the other hand, this contention raises a question which merits scrutiny. If the riot at Cananea were primarily revolutionary in design, why were not the other mining communities, such as Nacosari, affected? It would seem that the leaders of such an action would have known that the rising of such a small group could not be successful. Only a simultaneous action on the part of all the Mexican miners in Sonora could have had even a chance of success in causing a widespread revolution. That the affair was only a localized labor movement, in short a strike, seems to be the only logical conclusion. The Mexican miners wanted an equality in pay with American miners, and the strike was the weapon by which they hoped to accomplish this end. It seems highly probable that had George Metcalf peaceably permitted the strikers to enter the lumber yard and call out the Mexican employees working there, no bloodshed would have resulted. Instead the riot ensued and the miners not only suffered physical loss, but failed to win the salary equality for which they had gone on strike.

Though of minor importance in itself, the Cananea incident of 1906 was of national importance in Mexico, being the first major labor strike of the rapidly developing Mexican labor movement.

*University of New Mexico*  
*Albuquerque, N. M.*

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61. *Ibid.*, June 8, p. 1, c. 1.



## NECROLOGY

### HARRY F. LEE

A LIFELONG RESIDENT of New Mexico and for decades a member of its officialdom, Harry F. Lee died at Albuquerque on September 29. Mr. Lee, who was 64 years of age, suffered a heart attack at his office and returned to his home, where his death occurred within a few minutes. He had been seriously ill with pneumonia a few months ago, but had appeared in good health since resuming his duties. Mr. Lee was born in LaFayette, Ind., son of William D. Lee, who became member of the territorial supreme court and New Mexico district judge in 1873. He came to New Mexico with his family in that year. The Lee family resided in Las Vegas for several years. Mr. Lee was educated in the public schools there, and was employed for a time by the Las Vegas Optic. He was city clerk of Albuquerque for six years, prior to 1898, when he became secretary of the New Mexico Sheep Sanitary Board to serve for fourteen years. From 1912 to 1915, he was clerk of the Federal District Court under the late Judge William H. Pope. In 1915, he was made clerk of the District Court, a position he held under six judges, both Republican and Democratic. Mrs. Lee and three nephews survive. The nephews are Floyd W. Lee, prominent wool and sheep man of San Mateo; Lawrence F. Lee, life insurance president, of Charleston, S. C., and Chester Lee, who represents the Occidental Life Insurance Company in Denver.

### H. E. FOX

A six-months' illness proved fatal to H. E. Fox, 90, former Albuquerque resident and a pioneer business man of New Mexico. He died in Los Angeles. Mr. Fox, who came to New Mexico in 1892 and engaged in the jewelry business in Albuquerque for many years, was the father of Mrs. O. A. Matson and Mrs. L. C. Bennet of Albuquerque, and Mrs.

Frank Strong and Mrs. A. B. McGaffey of Los Angeles. He also is survived by 11 grandchildren and eight great-grandchildren. Twenty-two years ago Mr. Fox retired from the jewelry business in Albuquerque and moved to Los Angeles where he owned a fruit ranch. He was born in Rochester, N. Y., in 1848, and before coming to Albuquerque was a resident of Emporia, Kas., where he helped organize the Congregational Church. He also was active in the Congregational Church at Albuquerque and at one time was a member of the city council. Mr. Fox was the last charter member of the "Ten Dons," discussion group founded jointly by himself, A. B. McMillen, and Dr. J. W. Wroth. Burial was in Los Angeles' Fairlawn Cemetery beside his wife who died in 1934.

#### CHARLES BENT

Charles Bent, grandson of Governor Charles Bent who was assassinated at Taos, died on August 9, at the home of his daughter, Mrs. John V. Sanders at Los Angeles. He was seventy-eight years old. Surviving him besides his wife, are four daughters: Mrs. Sanders, Mrs. C. B. DuBoise of Minneapolis, Mrs. J. I. Glendinning of Oakland and Mrs. Woodson Ross of Oakland. A son, Raleigh Bent, also is living.

#### MRS. G. L. BROOKS

Mrs. Charlotte E. Brooks, widow of the late G. L. Brooks, who resided in Albuquerque for more than fifty years, died in that city on September 7. A native of Canada, she came to the United States in childhood. Mr. Brooks, who died in 1931, had a prominent part in the development of Albuquerque. Mrs. Brooks was a member of the Protestant Episcopal church. She leaves two sons, Herbert O. Brooks of Albuquerque, and Louis C. Brooks of Chicago, and a brother, Frank Wilson of Albuquerque.

#### ANDREW B. SIMPSON

Andrew B. Simpson, aged eighty-nine years, one of the founders of Tucumcari, died in that city on September 14.

He came to Tucumcari in 1901 and established the town's first mercantile establishment and its first bank. He arranged for the drilling of the first well to supply water. Six children survive him.

#### NEWS NOTES

Dr. and Mrs. Marion Dargan returned recently from six weeks of research in the Library of Congress in Washington, D. C., where Dr. Dargan continued his research in connection with New Mexico's struggle for statehood. Dr. Dargan was assisted by two University of New Mexico graduate students, Miss Mary Jane Masters, principal of the junior high school in Farmington, and Miss Dorothy Thomas, teacher in the El Paso high school, both of whom are working on master's theses of the same period. Dr. Dargan said that he was particularly fortunate in finding material concerning the governorship of Miguel A. Otero, Sr. The results of his research will be published in the near future in a series of articles in *THE NEW MEXICO HISTORICAL REVIEW*.



## BOOK REVIEWS

*Pontificia Americana: a documentary history of the Catholic Church in the United States (1784-1884)*. By Donald Shearer, O.M.Cap., Ph.D. (Joseph F. Wagner, Inc., New York, 1933. xi—413 pp., calendar of documents, bibliography, index. \$1.25.)

This is Number 11 of the interesting series of *Franciscan Studies*, which lists as other titles "Science in the Franciscan Order," "The Capuchins in French Louisiana," "Pioneer Missionaries in the United States." These monographs are being published under the auspices of the Franciscan, Conventual, and Capuchin Fathers of the United States and Canada. Needless to say, each has been submitted to the censorship and imprimatur of the Church authorities.

The monograph here noted gives the Latin, Italian, and French text of 159 documents, most of which have to do merely with administrative routine and will be of small interest to the layman. Others, however, afford some sidelight on important matters in United States history. For example, there was no more serious problem within the period covered than that of slavery. Yet, if this volume is (as represented by the editorial author) a complete documentation, Rome was utterly silent on this matter after the papal brief of December 3, 1839 (pp. 201-205): and that pronouncement condemned, not slavery, but merely the trade in slaves.

Successive popes were much more concerned over the matter of "trusteeism" within the Church. This may be traced (see Index) from its first appearance in South Carolina through similar controversies in New York, New Orleans, Virginia, and Philadelphia. The monograph gives nothing of importance regarding the former Spanish colonies now within the United States, since the Spanish and Mexican background are almost wholly ignored. Even in

editorial reference to the secularizing of the California missions (p. 206), the "Pious Fund" is not mentioned.

The editor has done excellent work in his introduction, and in summarizing and annotating the documents. His monograph is a valuable contribution to American history.  
—L. B. B.

*Franciscan History of North America.* Edited by Claude Vogel, O.M.Cap. (Capuchin College, Brookland, Washington, 1937; 385 pp., index.)

In the 18th annual meeting of the Franciscan Educational Conference in August 1936 at Santa Barbara, Calif., twelve papers were presented and discussed which were, in effect, a symposium on the general subject, "Franciscan History of North America." The papers are available in a separate volume, ably edited by the Rev. Claude Vogel, O.M.Cap. In some cases the Franciscan Fathers show a lack of acquaintance with the recent work of secular scholars, but on the whole they show a remarkable range and activity in the field of historical research.

Students of the Southwest will find especial interest in four of the twelve papers. Fr. John M. Lambert opens the symposium with an excellent bibliographical survey, "Franciscan historians of North America." Fr. Joseph Thompson follows with "The Franciscans in New Spain, 1522-1600," and Fr. Bonaventure Oblasser with a paper on "The Franciscans in the Spanish Southwest." Last of the twelve, Fr. Marion Habig had the theme, "The Franciscan Martyrs of North America." In tabulating the martyrs, Fr. Habig has included Fr. Juan Mínguez, which is hardly justified by his own definition of a "martyr" (p. 277); while in his separate list of the martyrs of New Mexico (p. 290) he has omitted ten who belong in New Mexico history—before there was any Texas, Arizona, or Nebraska.

The reviewer's estimate of this group of papers may be indicated by the fact that he had made it a *vade mecum* for his present journey to European archives in search of Southwestern material for the Coronado Library. —L. B. B.

### ERRATA

Page 93, note 22, interchange lines 3-4.

Page 110, in title, *after* EST *insert* TABULA.

Page 263, note 5, *read* Labadi.

Page 274, line 5, *read* immediately.

Page 274, line 8, *for* Jucero *read* Lucero.

Page 278, line 3, *for* An *read* A.

Page 288, line 13, *for* was *read* were.





The Historical Society of New Mexico  
(INCORPORATED)

*Organized December 26, 1859*

PAST PRESIDENTS

- 1859 — COL. JOHN B. GRAYSON, U. S. A.  
1861 — MAJ. JAMES L. DONALDSON, U. S. A.  
1863 — HON. KIRBY BENEDICT  
*adjourned sine die, Sept. 23, 1863*  
*re-established Dec. 27, 1880*  
1881 — HON. WILLIAM G. RITCH  
1883 — HON. L. BRADFORD PRINCE  
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# CONSTITUTION

## OF THE

### HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 19, 1929)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have, by published work, contributed to the historical literature of New Mexico or the Southwest, may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors



Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

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Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico, Albuquerque, New Mexico.

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